This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

HARVARD UNIVERSITY

LIBRARY OF THE

GRADUATE SCHOOL
OF EDUCATION

(71·27)329

THE MANITOBA SCHOOL QUESTION

A REPLY TO MR. WADE

"*Numbers of persons* HAVE INVENTED WHAT I MAY CALL A PATENT COMPRESSIBLE RELIGION, WHICH CAN BE FORCED INTO ALL CONSCIENCES WITH A VERY LITTLE SQUEEZING; *and they wish to insist that this should be the only religion taught throughout the schools of the nation. What I want to impress upon you is that, if you admit this conception, you are entering upon a religious war of which you will not see the end.* THERE IS ONLY ONE SOUND PRINCIPLE IN RELIGIOUS EDUCATION *to which you should cling, which you should relentlessly enforce against all the conveniences and experiences of official men, and that is,* THAT A PARENT, UNLESS HE HAS FORFEITED THE RIGHT *by criminal acts,* HAS THE INALIENABLE RIGHT TO DETERMINE THE TEACHING WHICH THE CHILD SHALL RECEIVE UPON THE HOLIEST AND MOST MOMENTOUS OF SUBJECTS. *This is a right which no expediency can negative, which no state necessity ought to allow you to sweep away; and, therefore, I ask you to give your attention to this question of denominational education. It is full of danger and of difficulty; but you will only meet the danger by marching straight up to it and declaring that* THE PREROGATIVE OF THE PARENT, *unless he be convicted of criminality,* MUST NOT BE TAKEN AWAY BY THE STATE."—LORD SALISBURY.

BY

JOHN S. EWART, Q.C.

WINNIPEG:
THE MANITOBA FREE PRESS COMPANY.
1895.

HARVARD UNIVERSITY
GRADUATE SCHOOL OF EDUCATION
MONROE C. GUTMAN LIBRARY

LC114
.M3C9

JUN 22 1928

THE MANITOBA SCHOOL QUESTION.

A REPLY TO MR. WADE.

Mr. Wade's pamphlet is long; but it is not too long. It is an advantage to the Catholic minority that all the arguments which can be urged against them should be brought together —that all the heads should be placed on one neck—for it facilitates the definition of the issues, and presents fine opportunity for reply.

The pamphlet is all the more welcome that it is understood to have been written at the request of the Manitoba Government, and by a gentleman well qualified by professional attainments, literary qualifications, and keen love of the work. It may therefore be taken as exhibiting not only Mr. Wade's views, but those of his clients; and as containing the reasons they desire to urge against the removal of the grievances under which the Catholics in Manitoba are laboring.

It is to deal with those reasons—to show their absurdity and futility—that I make this reply. I do not pretend to include in it the arguments so often already advanced in support of the Catholic side of the case, further than may be necessary to answer the positions taken by Mr. Wade. For such arguments I must content myself with referring readers to the speeches of many able men in Parliament; to the debate before the Governor-General-in-Council in March last; to Mr. Fisher's excellent pamphlets; to the pages of my book upon "The Manitoba School Question"; and to other sources.

I shall take up Mr. Wade's pamphlet chapter by chapter and endeavor to answer definitely and clearly every statement in it which is not too apparently irrelevant.

CHAPTER I.

History of the Question.

Being a short recapitulation of the history of the case this chapter ought to be, and is, fairly accurate; but when Mr. Wade says that the Remedial Order required "that the system of education embodied in the Act of 1890 . . . should be annihilated," it is difficult to imagine that he even thought that to be the fact. Everyone knows that it is not. The language of the document is

"that the system of education, embodied in the two Acts of 1890, aforesaid, shall be *supplemented*,"

not shall be annihilated. The word "supplemented" is taken from a passage in the Privy Council decision. It is as follows:

"All legitimate ground of complaint would be removed, if that system (the system of 1890) were *supplemented* by provisions which would remove the grievance upon which the appeal is founded."

CHAPTERS II. AND III.

Catholic Education a Farce.

These chapters are written

"to show that the education alleged to be furnished in the Schools of the Roman Catholic section was farcical to the last degree, a wretched travesty of what education ought to be, and a disgrace to the Province of Manitoba."

And what is the evidence produced? Inspection reports? Legislative inquiries? Royal commissions? No, nothing of the kind. Not a word as to the schools, their equipment, their work—*not a single word*. What then? (1) Some old examination questions put to candidates for teaching certificates; these, and (2) alleged illiteracy of those who, for all that Mr. Wade says, never were near the schools—that is all the evidence! Let me say a few words as to each of these points.

Teachers' Examinations.

In the early days of the Province, the law examinations were a complete farce, as Mr. Wade and I well know, for we

had to pass them. But Mr. Wade does not propose now to abolish the Law Society on that account; and the examinations now are well up to the mark. In the history of teachers' examinations (both Catholic and Protestant) in Manitoba the same progress may be noted, by anyone desiring to do so. In the earlier years there were hardly any Roman Catholic teachers to be examined (two or three in a class, sometimes none); and the qualifications of those who presented themselves were better known to the examiners by personal intercourse, than by any possible examination. The questions put, therefore, were not such as would be set to a large class of applicants wholly unknown to the examiners. This much is admitted, and Mr. Wade makes the most of it. But it is altogether irrelevant. The Catholic schools were abolished in 1890; and the question is, What were they like then? Mr. Wade sets out in his appendix examination papers of the years 1881 and 1882. Why did he not rather give those of later dates? In the body of his pamphlet, too, he gives some questions "taken at random" (18), but by no random error does he ever wander into the two years just prior to the Act.

Examinations Since 1890.

If a few questions, moreover, picked out of examination papers "at random" would condemn a school system, it would not be difficult to denounce the present system—it would not be difficult, I mean, to pick out "at random" very ludicrous or childish questions from the examination papers set to candidates *since 1890.* I do not pretend that they prove anything as against the present schools (that is really too absurd); although if they had been given to Catholic candidates, they would, of course, have been most damning evidence of inefficiency—not of the examiners only, but of the schools which the candidates were *going to teach.* Here are a few specimens from examination papers since 1890:

Q. "Describe the common lifting pump. If water has to be raised from a well 60 feet deep, how high must it be lifted?"

How much water was in the well, whether it was full, or nearly empty, and how high you wanted to raise the water, seem to be immaterial!

Q. "Describe the following from a hygenic standpoint:—
(a) Exercise, (b) Sleep, (c) Bathing, (d) Clothing, (e) Food."

Q. "Define latent heat. Why are vessels for boiling *furnished with lids?*"

Q. "Tell *what you know* of the works of Virgil, Horace and Ovid."

Q. "I wish to deposit $50 in a bank; state fully the steps to be taken."

First get your $50, no doubt; then take steps—to the bank!

In the arithmetic paper for third class certificates in 1895, three questions out of ten are the merest sums in addition, and the most difficult problems are one in multiplication and one in division. For fear that no third class candidate could solve these brain searchers, precisely the same sums, figure for figure, are repeated in the paper for the second class certificates! I wonder if anyone passed?

If it be absurd, as Mr. Wade seems to think it is, to ask in agriculture:

"How are cabbages and melons cultivated?" (15)

then I ask him why are questions put, under the present system, like this:

Q. "Describe the nature of mushrooms."

Mr. Wade makes light of questions relating to Bible history. The history of David, of Joseph, of Job, of Abraham, of Noah, of Solomon, are all objected to (15, 16). The following questions, however (set under the present system), are, I presume quite justifiable.

Q. "Write an essay on the manor house of Tully Veolan."

Q. "Write an essay on the character of Flora MacIvor."

Q. "Write an essay on Hayraddin the Herald."

Q. "Sketch briefly the character of Mr. Ephraim Jenkinson; or give a short account of the travels of Mr. George Primrose."

Q. "Write an essay on the Unwin Household."

Q. "Describe Christmas Eve at Scroog's office, using the following topics:—(a) the weather, (b) the cold office," &c.

Q. "Write an essay on Frank Lavender's Aunt."

Mr. Wade would select as subjects for study, not David, but Mr. Ephraim Jenkinson; not Joseph, but Mr. George Primrose; not Job, but the Unwin Household; not Abraham, but Scroog, and his cold office; not Solomon, but Frank Lavender's Aunt; not Jesus, but Barabas! Well, to some extent, it is a matter of taste.

Challenge to Mr. Armour, Q.C.

Some time ago, in reply to Mr. E. D. Armour, Q.C., who cited some of the old questions that Mr. Wade has reprinted, I wrote to *The Week* as follows:

"In order that the public may be satisfied upon the question of examination of teachers under the old system, I make Mr. Armour a proposal. I have placed in the hands of the Editor of *The Week* an envelope, in which there are two sets of examination papers, for first-class certificates; one of which was given to Roman Catholic, and one to Protestant, applicants. Mr. Armour may open the envelope, if he will agree that, after reading the papers, he will give his opinions on two points: (1) Which is the hardest set of papers? and (2) Were they, or was either of them, sufficient for an examination for first-class certificate? In order to remove the operation of Mr. Armour's bias, I have eliminated such questions as would enable him to detect the authorship of the papers. There are plenty left whereby to estimate merit."

Needless to say my challenge was not taken up. A few questions taken "at random" were, no doubt, a very much more satisfactory test of excellence, than fair comparison of the papers themselves.

Resulting Illiteracy.

After having dealt with the character of the earlier examination papers, Mr. Wade proceeds under the heading "Resulting Illiteracy." He seems to argue that, inasmuch as many of the half-breeds are illiterate, therefore the Catholic schools were inefficient. But why does he not argue that, therefore the Protestant schools were inefficient? Doubtless he will say because those half-breeds never went to the Protestant schools. But if that relieves the Protestant schools, then why will not the statement, that they never went to the Catholic schools, relieve those schools also? If Mr. Wade can select a single half-breed who attended a Catholic school, and nevertheless remained illiterate he will have some argument for his charge of inefficiency. I challenge him to do it. If he cannot then his charge must be, not that the schools were inefficient, but that the Catholics while pretending to provide schools for the young, in reality induced the young not to attend them. This would be plainly absurd. Nevertheless Mr. Wade says:

"The difficulty is not that the Roman Catholic Church does not provide educational institutions; it is rather that the educational institutions do not educate the people under its charge." (19)

What does he mean?—that the church provides schools, and at the same time keeps people out of them? or, that although the church provides schools, the children are not taught anything? If the former, I can only express my amazement at the stupidity of the assertion; and if the latter, I ask for one half-

breed—only one, who attended a Catholic school, and cannot read and write.

Illiteracy in Foreign Countries.

Not being satisfied by proving that the schools in Manitoba were inefficient because there are some illiterates in that country, who never went to the schools, Mr. Wade travels off to many foreign lands, and says that there are lots of illiterates there too (57). Now if it is absurd, as I think it plainly is, to try and prove the character of the Catholic schools in Manitoba, by the lack of education in Manitoba of those who never went to those schools, what better off are we, when we are told that there are illiterates in Italy also? But the argument seems to be this:

"Wherever the Roman Catholic parochial school is the medium of education, ignorance is rife, and when ignorance is at home crime is not a stranger." (52) The Roman Catholic parochial school was the medium of education in Manitoba, therefore ignorance was rife.

I deny both statements of this proposition. Until the last half century "ignorance was rife" everywhere, in comparison with the standard of to-day—Roman Catholic, and Protestant, countries alike, had not the same notions as are now prevalent. In England until 1870, "education was dependent on voluntary enterprise, or casual endowment," (Enc. Brit, vii. 679). Owing to the stimulus of state organization and assistance, the average attendance has increased there by more than 250 per cent. in the last 25 years! Was England's condition in 1870 due to the fact that "the Roman Catholic parochial school was the medium of education"? During the last twenty-five years one country after another has lent its powerful aid to the spread of education. They did not all start in the same year, and there are differences in their progress. Italy's effort came a few years later than England's; but as any one may see by the report of the United States Commissioners of Education for 1888-9, p. xiv:

"In no State of Europe has more strenuous efforts been made (than in Italy) to provide for education by public schools."

Mr. Wade gives some statistics (53). They are absolutely valueless in arguing as to the character of schools *in Manitoba*; but if anybody thinks that any help can be obtained in that way, I offer some others taken bodily from the Encyclopædia Britannica, vol. viii., p. 711:

Country.	Catholics.	Protestants.	Scholars to every 1000 inhabitants
Switzerland	1,084,400	1,577,700	155
German Empire	14,867,500	25,630,700	152
Luxembourg	197,000	400	142
Norway	350	1,704,800	138
Sweden	600	4,203,800	138
Netherlands	1,313,000	2,198,000	136
Denmark	1,900	1,865,000	135
France	35,388,000	610,800	131
Belgium	4,980,000	15,000	123
Austria	27,904,300	3,571,000	100
Great Britain	5,500,000	25,900,000	83
Spain	16,500,000	. .	82
Italy	26,750,000	35,000	70

Observe that Switzerland with a mixed population (like Canada's) heads the list; and that Luxembourg, France and Belgium (all Catholic countries) are much in advance of England. This table has been published before in the present controversy. Its accuracy has never been disputed. Its authority is undoubted. It proves nothing.

I shall answer the other part of the proposition that "the Roman Catholic Parochial School was the medium of education in Manitoba" later on.

Romanizing the Schools.

When I said that the only evidence produced by Mr. Wade for his charge of inefficiency in the schools was, (1) some old examination questions put to candidates for teaching certificates; and (2) alleged illiteracy of those who never went to the schools; I purposely omitted the statement that in the Catholic schools the pupils were "completely immersed in Roman Catholic ideas and influences" (19-21); that there were "creed and dogma everywhere" (11, 12); for these are not arguments to prove inefficiency.

Mr. Wade has done the Roman Catholic cause great service in writing his pages upon this subject. They shew more clearly than has yet been shewn, that the Protestant and Catholic methods of education are irreconcilably discrepant. It is often argued that all children may well be taught together every subject but religion. Mr. Wade demonstrates, what I have always argued, that the Roman Catholic idea of education is that the religious element ought to pervade even the studies that are usually termed secular. If singing be taught, why not sometimes use sacred music—"hymns, psalms, chants, anthems?" (11.) If decorum be the subject, why should it not include instructions as to "how to address a letter to a

prelate or priest, how to terminate such letters, what titles to employ in conversations in addressing such persons, how to behave in a holy place, order of precedence, the titles of dignitaries and so forth"? (11). Why cannot the children learn to read as well out of books which have in them some sacred literature, as well as if it were all profane? And when history is taught why must that contained in the Bible be excluded?

No doubt this sort of programme is impossible when Protestants and Catholics are being educated together, but why must Catholics change the whole character of their schools merely because Protestants do not agree with them as to the importance of immersing the children in religious ideas? Mr. Wade thinks he has demonstrated the evil quality of the Catholic readers when by extracts he has proved that the author of them has kept well in view the principle that

"religious instruction and mental training should now progress hand in hand." (11.)

To Mr. Wade all this is in the last degree abominable. To the Catholic it is one of the most essential requisites of education. Why should Mr. Wade require Catholics to conform to his ideas? Why may they not have their own way upon a matter of religion and conscience?

Priests as Teachers.

Mr. Wade objects, also, that some of the teachers were priests (7, 9). He does not contend that these priests were illiterates. His only charge against them is that they were priests—that, in his view, disposes of them. It is undeniable that in some few of the very poor parishes, parishes which could not support a teacher, the priests did for a time give such instruction as their other duties permitted. If that was a sin, Mr. Wade must have the benefit of it. In mitigation of the offence, I say that the priests did good work. The Hon. Senator Boulton tells of one of them (Senate Debates, 23rd April, 1895):

"In my immediate neighbourhood there is a separate school, named after the clergyman, Father Decorby, who founded it. He conducted a separate school there for years, to which the Prostestant population in its neighbourhood went. *They were all satisfied with the school;* THEY HAD NO COMPLAINTS TO MAKE OF IT."

But Mr. Wade thinks that it was abominable.

Anti-British Tendencies.

Mr. Wade objects to the Catholic histories, because they are "written from the French standpoint" (23). He quotes several passages in which the conduct of some Englishmen is criticised; but it never seems to occur to him that the criticisms may be just. That is not the point with Mr. Wade, and he does not discuss it. He would have the histories written to suit his view of French Catholics, and then compel Catholic children to read them. For instance, he objects to this question put to candidates for teaching certificate :

8. "Relate the conquest of England by William of Normandy?"

It should have been, I suppose—

"Relate how the Anglo-Saxons assimilated the Normans in the eleventh century."

He objects to—

"Describe the establishment of Christianity in England,"

preferring, no doubt—

"Describe the achievements of Protestantism in Manitoba."

He objects to—

"Who was St. Thomas Becket?"

instead of, I suppose—

"Who was John Knox?"

He even objects to—

"How did he die?"

and

"What was the fate of Mary Stuart?"

Can intolerance go further. All this Mr. Wade thinks is simply unbearable. Let me ask his opinion upon a subject prescribed for *study* in the present public schools:

"History—(a) English—Religious movements—(Henry VIII. and Mary.)"

Does Mr. Wade think that Catholic children ought, in fairness, to be obliged to receive their views upon this subject from Protestant teachers?

Other Anti-British Tendencies.

Mr. Wade must have overlooked many other questions indicative of anti-British tendencies, of which the following are a few:

Q. "It was during the thousand years from the fifth to the fifteenth century, that the civilization of modern Europe was ripening. It was the germinating season, the seeds of modern civilization, cast into the soil, were quickening in new institutions, and new nations. Illustrate this as definitely as you can."

Q. "State clearly the aims and work of Champlain, and Frontenac, respectively."

Q. "State somewhat in detail the disabilities under which the Catholics suffered in Britain during, and since, the time of the Stuarts. How and when were the disabilities removed?"

Q. "State fully what you conceive to have been the aims of the colonists of New England, and New France, respectively. How did these aims affect the after history of the colonies?"

Q. "From Longfellow's poems give at least five references to the Scriptures, or quotations therefrom."

These questions would have raised Mr. Wade's hat off his head, had he noticed them—and had he not noticed at the same time, that they were given *since 1890, and under the present system.* What a different complexion the same thing bears, does it not, according as it is the work of priest, or parson?

Among the anti-British tendencies alleged by Mr. Wade is the exclusion of the study of the English language from the Catholic schools. The reports of Mr. Greenway's own inspector (for 1892, 3) will shortly be quoted upon this point.

Summary of the Arguments.

These then are the arguments to prove that

"The education alleged to be furnished in the schools of the Roman Catholic section was farcical to the last degree."

(1) The examination questions put to the teachers (13)—not the answers given by the teachers; not a word as to the children; not a word as to the schools.

(2) "Resulting illiteracy" (18)—of those who never went to the schools, half-breeds, Italians, and others.

(3) "The complete immersion of the pupil in Roman Catholic ideas and influences"—the schools were inefficient *because* they were Roman Catholic!

(4) "Anti-British tendencies" (21)—history was not twisted more than under the present system in order that the children might be patriotic. English was not taught.

Counter Arguments.

As against all this (which does not give one the slightest aid in ascertaining the character of the schools themselves from a secular standpoint) I am going to offer some very direct testimony.

(1) In 1883 (seven years before the Act abolishing the separate schools), at an exhibition held at Portage la Prairie, the Catholics obtained very marked approbation of the excellence of their school work, and were awarded both prizes and diplomas.

(2) In 1886, at the Indian and Colonial Exhibition, held at London, England, the Catholics again displayed the results of their labors, and the excellence of their work received high praise. *The Canadian Gazette* (4th Nov., 1886) said that the Provincial exhibit denoted that

"there exists a school system which, although respecting the faith and religious convictions of the population, offers to every one an education capable of fitting for the highest rank in society, the child who is placed under its care."

(3) There was never any complaint of inefficiency until long after the abolition of the Catholic schools.

(*a*) The Hon. Senator Bernier, who was superintendent of the Catholic schools, has said (*The Senate*, 25th June, 1895):

"Never, before the Manitoba Government had announced its policy on this matter in 1889, never was any remark made to us about the alleged inefficiency of our schools; never was a suggestion thrown out to us; never was blame cast upon us; never was a hint given us as to any drawback that was supposed to exist, or as to any improvement that could have been desired."

(*b*) Members of the Legislative Assembly and others were, by law, visitors of the Catholic schools, and books were kept for their comments. *There never was an adverse remark recorded.*

(*c*) Mr. Morrison, an Orangemen, and for a time an inspector of Protestant schools, testifies in his pamphlet:

"Throughout all these years, from 1871 to 1888, no complaint was ever made with the workings of the separate school system."

(4) Mr. Joseph Martin's testimony is in favor of the efficiency of the schools. In introducing the bill to abolish them, he used the following language:

"The Government considers that they are under a very great deal of obligation to those gentlemen who had from time to time for many years past assisted in controlling and shaping the educational affairs, as members of the Board of Education. *Their labors, thus willingly given, had* RESULTED IN GREAT GOOD. *The Government's action had not been determined because they were dissatisfied with the manner in which the affairs of the Department are conducted under the system, but because they are dissatisfied with the system itself.*"—(*Free Press, 5th March, '890.*)

(5) Mr. Martin must have been right as to the Government's reason for the bill, for at the moment that he spoke two

members of his Government (himself one), and Mr. Wade, were members of the Board of Education which he was abolishing, and *one of them, for two years, had been upon the Roman Catholic section of it.*

(6) Mr. Martin must have been right for the further reason, that if he had condemned "the manner in which the affairs of the department are conducted" he would have been playing the part of the leader of the opposition, and not of a member of the administration. The Government had appointed the members of the board, and could have changed its character from year to year, had they desired to do so. It was not until long after the Act was passed that mismanagement by the Government's nominees (including two of its own members, and Mr. Wade) was thought of as a reason for abolition.

(7) For a third reason Mr. Martin must have been right, namely, that the principal man responsible for mismanagement (had there been any) was the superintendent, and it was not the church that appointed that official, nor even the Catholic section of the board, *but the Government itself.* If he was useless, or incompetent, why was he not superseded?

(8) The above reasons should be a sufficient answer to allegations of inefficiency, based upon statistics from Belgium, but I have not yet finished.

(9) In 1892 the Greenway Government appointed Mr. Young to *make an inspection* of the Catholic Schools. His report is by Catholics thought to be very unfair to them. Nevertheless here it is, that every one may see what is the worst that can be said by one appointed to find fault:

"FRENCH SCHOOLS.

"A. L. Young's Report.

"I beg to submit the following report of the schools visited by me during the latter part of the year 1892:

"During the past three months I visited over fifty districts, the majority of these being in the French settlements along the Red, Assiniboine, Seine and Rat Rivers, and formerly under the jurisdiction of the Catholic section of the Board of Education.

"The seating accommodation in many of the schools is insufficient; a few are provided with patent desks, but the greater part still use the home-made desks and benches.

"As a rule the blackboards used are much too small, and in many cases of poor quality. With only two or three exceptions, all the schools visited by me were *well supplied with a sufficient number of good maps.*

"Five schools are claimed to be conducted according to the Public Schools Act of 1890, in regard to religious exercises. Of these, three are in charge of teachers holding first-class certificates, one is in charge of

teacher having a second-class, and one in charge of a teacher having a third-class certificate; *of the total number of teachers seen by me, about* FIFTY *per cent. hold first-class certificates*, twenty per cent. hold second-class, and ten per cent. have third-class certificates. About twenty per cent. are teaching without certificates, these being young lady graduates of the various convents who have begun teaching since the closing of the St. Boniface Normal School.

"Of the schools visited by me six were in charge of male teachers. The salaries paid are in all cases very low.

"There is an average enrollment of *over thirty pupils to each school*, some of the larger schools having from one hundred to one hundred and fifty pupils.

"*With remarkably few exceptions, English is taught in all the schools. The parents and trustees recognize the desirability of having their children study English, consequently those teachers who have a sufficient knowledge of the English language to teach it successfully are in much greater demand and receive higher wages than those who understand the French language only. As a rule the scholars read and translate English in a very creditable manner.*

"In St. Anne's Convent, where through the courtesy of the Rev. Father Giroux and the Sisters in charge I was given every opportunity to examine the school work, *I found the higher classes remarkably well advanced in English, their pronunciation being exceptionally good.*

"In regard to French reading, there is room for considerable improvement in expression.

"*A good share of attention is given to arithmetic;* this subject, however, could be more successfully taught if the schools were provided with a more liberal supply of blackboards.

"*Very creditable work is done* by many of the more advanced pupils in composition, *written translations from French to English*, letter writing, &c. As a rule the books used for this purpose are kept *extremely neat, and reflect credit on both teachers and pupils.*

"In teaching geography good use is made of a *liberal supply of maps* with which the majority of the schools are supplied.

"A noticeable feature of these schools is the very limited number of boys in the higher divisions."

An extract from Mr. Young's report for 1893 may be added, because of the complete answer it gives to Mr. Wade's "anti-British" statements:

"In *all districts* visited by me, I found *a strong desire* on the part of all concerned *to make the teaching of the English language a prominent feature* of the schools. In one district this idea was carried so far that the teacher was forbidden to make any use of the French language. This I consider to be a mistake."

Reports Upon Present Schools.

Mr. Young's reports commenced two years after the Catholic schools had been deprived of the Government grant; when they were struggling with financial difficulties; and when it

had become important to condemn the Catholic schools. How far does it justify the statement that education in these schools "was farcical to the last degree, a wretched travesty of what education ought to be, and a disgrace to the Province of Manitoba." Let me compare the report just quoted with some extracts from reports of the schools for the year 1894—schools under the present system, schools in full enjoyment of public favor and support.

In Mr. McCalman's Report of the Eastern Inspectoral Division I find the following:

"The irregularity of attendance in the majority of schools is a deplorable fact."

"Of the one hundred and forty teachers of the division, nineteen held first class certificates, seventy-five held second class certificates, thirty-nine held third class certificates, and seven held permits."

"Twenty-five teachers—about eighteen per cent. of the total number—were *without any previous experience, or professional training whatever.*"

"In advanced classes *too little attention is given to the mechanics of reading*, and indistinct articulation, and lack of clearness of enunciation are too common."

"*Writing does not receive that faithful attention* it demands, and results are almost *uniformly poor.*

"In the subject of geography teachers are handicapped by the *lack of reference books.*"

"In music, notwithstanding that the subject has formed a part of the course of instruction at the Provincial and local Normal schools for the past two years, the *teaching is somewhat spasmodic.*"

In Mr. S. E. Lang's report of the North-West Inspectoral Division there is the following:

"It would perhaps be correct to say that about *two-thirds of the teachers* are doing work which may be described *as fair.* Of the remainder about one-half are doing very good work, while the others must be classed as *unmistakably poor—very poor in some cases.*

"The *meagre results in arithmetic* are probably due to a misapprehension of the nature of the science of number."

"It is not surprising to find the *advanced work in arithemetic poorly done* in many cases when it rests on a weak foundation of elementary training."

"In the subjects of history and geography *the dependence of some teachers upon the text books is still painfully apparent.*"

"In this district there were *but four teachers holding first class certificates;* fifty-eight with second class, and *sixty eight with third;* and *eighteen without any certificates at all.*"

In Mr. Lang's report for 1893 is the following:

"In nearly every school in this Division a test was made to discover how many of the pupils above second standard could use correctly the following words:—done, did; seen, saw; set, sit. It was found that *about ninety per cent.* of the pupils "done" their exercises; "seen" the cows; "set in their seats; and were in the habit of "laying" down.

In Mr. E. E. Best's report of the South Central Division there is the following :

"It is to be regretted that an *unfavorable report* is due on the state of school yards and school environments."

"The *supply of apparatus* for primary work is *deficient*, and *reference books* for advanced classes are *not well supplied*. The remedy in most cases lies in the hands of the teachers."

"The teachers in charge held all grades of certificates, and represented all stages of proficiency, from the very highest standard of moral and professional excellence, down to *those who had neither training, experience nor aptitude.*"

"*The reading done in the schools is largely unsatisfactory.*"

In Mr. A. S. Rose's report of the South West Inspectoral Division there is the following :

"There is a most *regrettable indifference* on the part of trustees and ratepayers in the matter of caring for school property."

"*Irregularity* of attendance is a most *discouraging feature* in rural schools. MANY CHILDREN ARE ACTUALLY GROWING UP WITHOUT RECEIVING EVEN THE RUDIMENTS OF A PUBLIC SCHOOL EDUCATION. *I visited one school in which there had not been a single pupil for six weeks. The teacher, who was in the habit of visiting the school each morning, was in receipt of a salary of $40.00 per month.*

"I do most earnestly trust that the time has now fully come when the practice of allowing persons without professional training, and without experience, to engage in teaching, may with safety be discontinued. . . . In any case, it would be infinitely better that, in the event of a scarcity, the certificates of trained and experienced teachers should be extended, than that *girls of sixteen* and *youths of eighteen, with neither training nor experience*, and possessing only the scanty scholarship necessary to pass the third class non-professional examination, *should be* TURNED LOOSE UPON THE PUBLIC *to draw their salary, and to* WASTE THE "PRECIOUS MORNING HOURS" *of the children who are so unfortunate as to be placed under their control. The cases are rare in which the closing of the school would not be preferable to the employment of such teachers.*"

The illiterates referred to in this report must, of course, be charged up to the inefficiency of the Catholic schools, prior to 1890; the teacher who drew $40 a month and did nothing must have been a Jesuit in disguise; and the girls and youths who had been "turned loose upon the public to draw their salary and to waste the precious morning hours of the children," will probably all turn Catholic before they die !

Let it be noticed that according to these reports there were, in the Catholic schools, twenty-five first-class teachers, out of a total of fifty; and in the public schools only twenty-three out of two hundred and eighty-eight. Mr. Wade knew what he was about when he tried to prove the character of Catholic schools in Manitoba by statements about Mexico, Central America, South American Republics, &c., &c., (p. 60). The reports of the Inspectors of the Greenway Government were of no service to him. They contradict his assertions.

My purpose in quoting extracts from the inspection reports for 1894, is not to make a counter charge of inefficiency against the present schools. My desire is, merely, in that way to emphasize, that which everybody recognizes in making an estimate of his own sort of schools, that the highest degree of efficiency cannot be obtained under all circumstances; and that it is unreasonable to expect that either Catholic or Protestant schools should be as fully equipped in sparsely settled districts as in the cities. No charge has ever been made against Catholic urban schools. Their rural schools have been criticised. Let them be judged by the standard of rural schools. Let comparison be fair.

Even in the Province of Ontario, with all its advantages, I find the following in the report for 1894 (p. viii):

"As will be seen from this report, much the greater proportion of the teachers hold third-class certificates."

Summary as to Inefficiency.

Let me summarize the evidence for and against the statement that the education in the Catholic schools "was farcical in the last degree, a wretched travesty, etc":

FOR	AGAINST.
1. Some questions put to the *teachers* were absurd.	1. Questions of the same sort would condemn the present system.
2. Resulting illiteracy of those whom these teachers never saw.	2. Some children still grow up illiterate (Mr. Rose's report).
3. Illiteracy in Spain, etc.	3. Illiteracy still in Spain.
4. Children immersed in religion.	4. David was a more important character than "Frank Lavender's Aunt."
5. Anti-British tendencies.	5. Fudge.
	6. Unaccepted challenge to Mr. Armour.
	7. Honors at Portage la Prairie exhibition.
	8. Honors at the Indian and Colonial exhibition.
	9. Never any complaint of any sort prior to 1890.

10. Never an adverse remark by visitors of the schools.
11. Mr. Morrison's testimony that no complaint.
12. Mr. Martin's testimony that the labors of the board "*had resulted in great good.*"
13. Two members of the government, and Mr. Wade himself, were members of the board.
14. One member of the Government had been on the Catholic section for over two years.
15. The Government appointed the board, and would no doubt have changed its composition if dissatisfied with it.
16. The Government appointed the superintendent of the Catholic schools, and reappointed him from time to time. No fault was ever found with him.
17. No whisper of inefficiency until Mr. Greenway was in a corner.
18. The report of Mr. Young in 1892, the inspector appointed by Mr. Greenway to find all the fault he could:

    "Well supplied with good maps."

    "Fifty per cent. of teachers have first class certificates."

    "Average of over 30 pupils to each school."

6. "English was practically a *langue etrangere* — a foreign tongue" (21); the study of English was excluded (22).

"English education sought after."

"Higher classes remarkably well advanced in English."

"Very creditable work in composition, written translations from French into English, letter writing, etc."

Books "kept extremely neat, and reflect great credit on both teachers and pupils."

"Good share of attention is given to arithmetic."

The Government Grant.

Mr. Wade argues that under the old system the Catholic schools received more than their share of the public funds. If that was true it should no doubt have been altered; but of what benefit is such a statement when the question is not, Should that have been altered? But should the schools have been abolished? Mr. Wade, be it observed, does not argue that the Catholics received more than the statute provided. Dr. Bryce's very charitable accusation that the returns of school population were fraudulently manipulated, is (creditably to Mr. Wade) not mentioned. Mr. Wade's contention is that the statute was wrong—that the grant should not have been distributed according to school population, but according to some other method which would have been more advantageous to Protestants. Such a mere matter of detail need not be argued here. It is the merest childishness, too, to say that if the Catholic school attendance was about three times larger (per school) than the Protestant, it was because

"the efforts of the Roman Catholic section were in a great degree concentrated upon the populous settlements, where fat legislative grants, and light school taxes, went hand in hand." (13)

Other objectors have made the contrary charge: that the Roman Catholics started schools where there were almost no children in order to get the grant! The explanation of the higher average attendance in Catholic schools is well known to every one. The rural Catholics are for the most part settled

along the rivers, and their farms have narrow frontage and great depth. Their houses, situated upon the banks of the rivers, are thus in close proximity the one to the other, and many children can go to the same school. Protestant farmers, on the other hand, live upon the prairie, where the farms are square, and the houses are therefore widely scattered. Mr. Wade explains this in chapter V. (32-38.)

CHAPTER V.

Practical Difficulties in Manitoba.

Little fault is to be found with this chapter. It will furnish capital material wherewith to answer those who point to the small number of children in some of the Catholic schools; and the lack of the best equipment in such cases. Mr. Wade's comment, however, from the facts is mere nonsense:

> "What folly is it then to talk of the division" of these small districts "which the establishment of a dual system would necessitate."

Nobody has ever proposed divisions, where from the smallness of the population divisions are impracticable. And how can it be argued, that because there are many districts where division is impossible, therefore that the Catholics ought not to be allowed to teach their own children, in their own way (subject to secular requirements, enforced by public inspection) in districts where there are no Protestants at all, or where (as in cities and towns) division *is* practicable? The whole chapter is entirely beside the question.

CHAPTERS VI. AND VII.

Confiscation of Catholic Property.

In reply to the charge that the Act of 1890 confiscated Catholic property, Mr. Wade quotes the judgment of the Privy Council upon two sections of the statute (40). These sections only applied to cases in which Catholic and Protestant sections,

before the Act, were coterminus; and, as Mr. Wade says (47), there were none such. Under these sections the Privy Council says that no injustice was done, which is sufficiently obvious without putting their Lordships' language in capital type. As has frequently been explained, however, Catholics do not complain of these sections at all, for they never had any operation whatever. The sections are only useful in this way: Catholics complain of confiscation under *other sections* in the statute; the Greenway Government makes no reply to this, but cites the Privy Council to shew that there was no injustice under *these* sections! The argument is, of course, miserably poor, but it is the best that the circumstances admit of. Let Mr. Wade devote some attention to the simple fact, for example, that the actual cash on hand by the Catholics at the date of the Act was swept away into the general funds. That was the most conspicuous case of confiscation; but no clearer a case than that of all the rest of the Catholic school property.

This also is clear: The debts accumulated by the Protestant schools aggregated in the neighbourhood of half a million dollars; the Catholic debts were less than ten thousand; and the Catholics are now required to pay a share of the total. Property was taken away from the Catholics; and in return Protestant debts were heaped upon them!

Present Schools Are Protestant.

To prove that the present schools are not Protestant Mr. Wade quotes the Privy Council judgment (41-45), which he says effectually disposes of the matter. The Privy Council was dealing with the *statute*, and not with the *facts*. Their Lordships say that the *Act* declares that the "schools shall be entirely unsectarian." No doubt the Act does so declare; but that unfortunately does not alter the facts, for which one has only to refer to the regulations. One of them is as follows:

"To establish the habit of right doing, instruction in moral principles must be accompanied by training in moral practices. The teacher's influence and example, current incidents stories, memory gems, sentiments in the school lesson, examination of motives that prompt to action, didactic talks, teaching the Ten Commandments, etc., are means to be employed."

In my debate with the Rev. Mr. Pedley, in his church, in Winnipeg (29th April, 1895), I quoted the above regulation, and then added:

"Am I wrong in saying that the programme sounds like one for a Sunday school? And are Catholics unreasonable in saying that in the hands of Protestant teachers the flavor of the memory gems, didactic

talks, etc., would be Protestant? It could not possibly be otherwise. I defy any Presbyterian, for instance, who believes his catechism to conscientiously teach the Ten Commandments without coming in direct conflict with Roman Catholic doctrine. And if we are to assume that the teachers are non-sectarian too—gentlemen without theological prejudices—what reason is he to give to the children why the Protestants divide the Catholics' first commandment into two, making up by adding their ninth and tenth together? When he is teaching the Protestants' second commandment is he to state that it is a special commandment aimed at Roman Catholic images and relics?; or is he to explain, "Thou shalt not make unto thee any graven image," as the Catholics explain that language? And when he comes to the Protestants' fourth commandment enjoining the keeping of Sunday (it is the Catholic third), shall he inculcate Protestant or Catholic belief as to the lawfulness of recreation, and works of liberal and artistic character? Let Protestants tell me that they are willing to have their children taught the Ten Commandments by Roman Catholics, and I shall then, but not till then, acknowledge that the present schools are unsectarian. I pray Mr. Pedley to make a note of this for his reply."

Mr. Pedley did make a note of it, but the only reply which he offered was that if some Catholic children were taught the Commandments by Protestant teachers, there would be some Protestant children who would be taught by Catholic teachers! And these are the non-sectarian schools!

But there is no necessity of further argument upon this point, for Mr. Joseph Martin's statement, in favor of the Catholic view, ought to be conclusive. It is as follows:

"I said then, and I still think, that the clause of the 1890 Act, which provides for certain religious exercises is *most unjust* to Roman Catholics. If the State is to recognize religion in its school legislation, such a recognition as is acceptable to Protestants only, and, in fact, only to a majority of Protestants, is to my mind RANK TYRANY."

CHAPTER VIII.

Reason for the Act of 1890.

Mr. Wade attacks Dr. Grant's statement that

"The men responsible for the change did not attack the old system for faulty administration or poor results; but they took the ground that it was wrong in principle." (56)

Mr. Wade says this is not true. Mr. Martin was the originator of the Act of 1890, and he ought to know, if any one, why he originated it. Let him decide. I have quoted the words which he used in introducing the bill. Dr. Grant

accurately summarizes these words. By what title does Mr. Wade assume to contradict Mr. Martin upon this point. How can Mr. Wade know Mr. Martin's reasons better than Mr. Martin himself!

In 1868 Mr. Mercier passed the Jesuits Estates Act, and in 1869 Mr. Dalton McCarthy, in Ontario, organized the Equal Rights Association to attack it. In August, 1869, Mr. McCarthy, at Portage la Prairie, publicly urged an attack upon the Catholic Schools of Manitoba. He succeeded in arousing Protestant animosity. This was the genesis of the Act of 1890. There was no investigation, or pretence of investigation, as to the character of the Catholic schools. That was not necessary. They were wrong in principle, that was the plea. That they were inefficient was an after-thought. Mr. Martin publicly thanked the managers of these schools, saying that their work had "*resulted in great good.*"

Mr. McCarthy, in his platform speech at Ottawa in 1889, after returning from Manitoba, said:

"Do you tell me that the Equal Rights Association had nothing to do with that question? Of course the feeling was there; the grievance existed; *her people's minds had only to be directed to it*, and the moment attention was drawn to it, the Province of Manitoba rose as one man and said:—We want no dual language, and *away with separate schools* as well. (Applause.)

What a magnificent record! From Ontario, the "sleepy Protestants of Quebec" (as Mr. McCarthy called them), on the one side, are stirred into sectarian strife, over an Act that passed the Legislature without a dissenting Protestant vote; and the dull, good natured Protestants of Manitoba, on the other side, are aroused into bitter attack upon a school system highly prized by their Catholic fellow-countrymen, and which *in no way interfered with their own methods of education.*

I have already dealt with the statistics which Mr. Wade gives in this chapter.

CHAPTER IX.

Church Education a Bad Thing.

This chapter is devoted to proving that

"in all Europe education is passing from the control of the clergy into the hands of the State." (58)

Why this is elaborated I cannot understand, for everybody knows that while it is largely true, it is wholly irrelevant. But it is elaborated, and then Mr. Wade adds:

"To ask Manitoba to go back to separate schools is to demand a return to a system which is rapidly being driven out of Roman Catholic, as well as Protestant, countries all over the world." (62)

It is to demand nothing of the sort. Mr. Wade several times asserts that the old system gave to the Catholic church the "absolute control of the schools" (19, 50, 51, 120). At page 26 he says:

"The Government of the Province had little or nothing to say with regard to the conduct of the schools of the Roman Catholic section. It handed over the educational grant at stated periods, but even in that it merely obeyed the law; with the distribution of the grant it had nothing to do. The church managed the Roman Catholic section and disposed of the public money granted to that section as it saw fit."

Anyone not knowing the facts would, by this extract, be led to believe that the old system merely provided so much money to be handed over to the Catholic church. Nothing could be more misleading. The old system provided for the appointment *by the Government* of twenty-one gentlemen to act as a Board of Education, whose labors, Mr. Martin says, had "*resulted in great good.*" This board alone had jurisdiction

"(a) To make from time to time such regulations as they think fit, for the general organization of the common schools.

"(b) To make regulations for the registering, and reporting, of daily attendance at all the common schools in the province, subject to the approval of the Lieutenant-Governor-in-Council.

"(c) To make regulations for calling of meetings from time to time, and prescribe the notices thereof to be given to members."

For other purposes the Board was divided into two sections, one composed of twelve Protestants, and the other of nine Catholics. Each section had charge of the schools of its own denomination in all matters, *except those already mentioned.* Every year three Catholics retired from the Board, their places being filled by Government appointment. The Government, then, had as much "to say about the conduct of the Catholic section" as Mr. Wade has about the keeping of his own accounts—that is to say, he appoints his book-keeper, and discharges him if the books are not properly kept. Restore the old system and give Mr. Wade the power to appoint the members of the Board, and he will soon show us what can be done.

And this constitutes an exceedingly good answer to the present pretence that the schools were inefficient. If that were

true, whose fault was it? If Government officials are incompetent, and Government works are badly built, whose fault is it? The Government appointed the Board, and appointed two of themselves, and Mr. Wade, to seats at it; the Government now says that the Board was shamelessly neglectful of its duties, the schools in consequence being the veriest farce; and *the Government demands that a commission be appointed to enquire and state why the Government appointed such men to such responsible positions, and re-appointed them from year to year!* If any Catholic teacher had reasoned like that he would—well, he would have been a Catholic!

CHAPTER X.

The Church and Public Schools.

Mr. Wade exhibits a deplorable lack of information as to the position assumed by the Catholic Church towards public schools. So long as Catholics are required to believe, not what their Church teaches, but that which Mr. Wade tells them they believe, there can, of course, be no difficulty in ridiculing their position. There is the less excuse for Mr. Wade's mistakes because the Government's senior advocate (Mr. McCarthy) accurately quoted the doctrine during the Ottawa argument in March last. It is this:

"*All care must be taken to erect Catholic schools*, to enlarge and improve those already established, and to make them equal to the public schools in teaching and discipline."

"*When there is no Catholic school at all*, or when the one that is available is little fitted for giving the children an education in keeping with their condition, *then* the public schools may be attended with a safe conscience, the danger of perversion being rendered remote by opportune, remedial and precautionary measures, a matter that is to be left to the conscience and judgment of the Ordinaries."

Mr. Wade endeavors to distinguish between separate school education as a dogma of the church, and the real belief of the members of the church. It is very easy to assert that Catholics have no faith in what their church teaches, but not quite so easy to prove it. The Hon. Sir Oliver Mowat in a speech, delivered in the Legislative Assembly (25th March, 1890), said:—

"Having possessed himself of all the information available on the subject, he was satisfied there was no such antagonism between the

clergy of the Church of Rome, and the people of that Church, as the argument of the Opposition assumed—that as regards the clergy, and the mass of the people of the Church of Rome, there was the utmost confidence, respect and affection on the part of the laity towards the clergy. He should be deceiving himself if he took any other view, and so would the Protestant public if they took any other view."

Mr. Wade fancies that he makes a point by saying that Catholics attend public schools in other countries (68). But the point vanishes when it is known that Catholics believe that they may attend such schools, when nothing better can be had—that it is their duty to provide better if possible, and when provided to send their children to them ; but when that is impossible the other course (under restrictions and safeguards) may be adopted. And this is not strange doctrine. I am sure that thousands of Protestants would make it a matter of duty, and of conscience, to fight against pure secularity in the schools ; and if so why may it not be a matter of duty with Catholics to strive after a really religious education.

CHAPTER XI.

"The Hierarchy and the Rebellion."

Mr. Wade agrees with the main thesis of my book, that

"many and strong arguments can be advanced to justify in a measure the first Riel Rebellion," (75)

but objects that I did not prove that it was "priest-made." That is the sort of argument that almost kills one with despair. A thing may be good, but if it be priest-made then it becomes a matter for God's all-pardoning grace. Mr. Wade makes no attack upon my assertion

"that the whole movement found its sufficient causes in the attempt to transfer the people of Red River, and their territory, to the Dominion of Canada like so many head of cattle (in Col. Wolsely's phrase) without a word of communication with the settlers upon the subject, without a hint as to the form of government to be imposed upon them, without a suggestion as to policy, without reference to the ownership of lands, and without the slightest evidence of good will," &c., &c.;

but he fixes attention upon the priests behind the movement, and thinks he has damned everything. His views are so distorted by the presence of the priests, that among the extracts he quotes, in order to prove their activity, there are those which prove, also, that it was Father Ritchot that interposed

when a revolver was first levelled in the quarrel, and that it was Father Lestanc that accompanied Sir Donald A. Smith, and interceded with Riel for Scott's life! Yes, Mr. Wade, the priests were at Red River, as elsewhere, upon the side of liberty and fair dealing, and also of mercy and peace.

The outbreak, I repeat, "was not against Her Majesty the Queen or British Sovereignty," but "against Mr. McDougall." The evidence of this is set out in full in my book at pages 382-391. It is not true that

"the leaders of the French Half-Breeds, who were in the ascendant, had declared for annexation to the United States." (74)

It *is* true that Riel and his half-breeds stood loyally on the side of Manitoba, when invaded by Fenians from the United States; that they earned, and received, the Lieutenant-Governor's heartiest thanks; that he sent a letter to Reil, Lepine, and Parenteau (8th Oct., 1871) saying that he would

"take the earliest opportunity to transmit to His Excellency the Governor-General the evidence of *the loyalty and good faith of the Metis of Manitoba*;"

that he afterwards testified that had the half-breeds joined the enemy

"the English settlers to the north of the Assiniboine would have suffered horrors it makes me shudder to contemplate;"

further, that

"if the half-breeds had taken a different course, I do not believe that the Province would now be in our possession;"

and again:

"In fact the whole of the French half-breeds, and *a majority of the English*, regarded the leaders in those disturbances as *patriots and heroes*, and any government which should attempt to treat them as criminals would be obliged virtually *to disregard the principles of responsible government*."

CHAPTER XII.

Bill of Rights No. 2 or No. 4.

Mr. Wade is the first to contend that Bill of Rights No. 2 was the one which formed the basis of negotiation (89). The evidence in favor of No. 4 is set out in my book (364-371). Mr. Dalton McCarthy has contended for Bill No. 3, and so has Dr. Bryce. Mr. Wade, with the advantages of their argu-

ments, refuses to agree with them (87). I thank Mr. Wade for abandoning No. 3. There never was much that could be said for it.

For Bill No. 2 still less can be urged. No doubt it had been sent to Ottawa; but Mr. Wade admits that that was on the 25th February (88); that the delegates "did not leave Fort Garry until the 23rd of March" (78); and there are conclusive reasons for believing that it was *not Bill 2 that they took with them* (79). The reason that is given for believing that Bill No. 4 "could not have been accepted as a basis of negotiations," is that it was "prepared by the provisional government" (87). Mr. Wade quotes Sir John A. Macdonald for this, but entirely overlooks a part of his own quotation which proves the very contrary. Sir John said:

"Judge Black took me aside and stated that they had received, and brought with them, an authority from Riel, *as Chief of the Provisional Government*, to act on behalf of that Provisional Government, and also a certain claim, or a Bill of Rights, PREPARED BY THAT GOVERNMENT. He asked me what was to be done with the authority, and the Bill of Rights. I told him they had better not be produced, as the Governor-General could not recognize the legal existence of the Provisional Government, and would not treat with them as such. *I stated, however, that the claims asserted in the last mentioned Bill of Rights could be pressed by the delegates, and would be considered on their own merits.*" (86)

There can be nothing more satisfactory than this statement; and it shows clearly that Lord Dufferin was under a misapprehension when he said (88) that the terms that the delegates

"were instructed to demand were settled before the election of Riel to the presidency."

A sufficient answer to the assertion that Bill No. 2 formed the basis of negotiation, is to be found in the fact that it was framed upon the idea of the continuation of the settlement as a territory, and not upon its erection into a Province. The Dominion Government would have been only too eager to have received such a request, for that was the provision which Parliament had made (before the outbreak) in 1869 (32 and 33 Vic., c. 3.) Provincial autonomy was one of the results of the vigorous assertion by the settlers that they were not "so many head of cattle"; and of the demand contained in clause one of Bill of Rights No. 4.

It is evident, then, that the claims of some bill "prepared by that Government," were asserted and pressed; the only bills "prepared by that Government" are admittedly Nos. 3 and 4 (78, 79, 87); Mr. Wade agrees "that No. 3 could not have been accepted as a basis of negotiation" (87); and Father Ritchot says: "Very well, then, probably after all I was correct in saying that it was No. 4.

Act Not a Treaty, for Not Accepted.

Mr. Wade says that when Father Ritchot returned to Fort Garry he only explained "a few of the provisions of the Manitoba Act" to the Legislative Assembly; and as

"it is not known which he did explain, it can hardly be contended that the Assembly knew anything about the provisions with regard to separate schools; or accepted it in any way; or that they knew enough about the Act to endorse it, in whole or in part, as a treaty arrangement. (91)

That argument would be very convincing, but for the following facts: The Manitoba Act was accepted by the Legislative Assembly on the 24th June. Two weeks prior to this date (10th June) *The New Nation*, published at Fort Garry, printed the following:

"The Act constituting the new Province has been printed."

A summary of the provisions of the measure is then given, and part of it is as follows:

"It is specially enacted that no law shall be passed by the Provincial Legislature, injuriously affecting in any way denominational schools, either Protestant or Catholic. An appeal against any Educational Act, that infringes upon this proviso, will be to the Governor-General-in-Council, and if powers are required to enforce his decisions the Parliament of Canada may be invoked to compel due compliance by an Act for the purpose."

In its issue of the 17th June, the *New Nation* presented the whole Act—every word of it—to its readers. On the 24th of June the Legislative Assembly resolved to unite with Canada upon the terms contained in the Act.

Argument construction is very easy, if the debater be permitted to supply his own facts. Because Father Ritchot explained only a few of the provisions on the 24th June, it cannot be contended that the Assembly knew enough of the Act to endorse it! No doubt; but suppose the fact is that the members had all read it in the newspapers a week before, what can be contended then?

A "Parliamentary Compact."

Mr. Wade relies strongly upon the judgment of the Privy Council as to the character of the present schools (a subject, as we have seen, the judges dealt with as a matter of law, and not as a matter of fact); but when the same judgment affirms that the Manitoba Act was "a parliamentary compact," he says that

"hardly any of the facts in this chapter referred to, were brought to their notice,"

(for reasons which, I fancy, must now be apparent to him); and he adds that

"anything the Judicial Committee said in favor of the treaty idea *was not considered*, and was, therefore, what lawyers call *obiter dictum*, and *of no effect*."

I wonder how Mr. Wade can possibly know that the judges did not consider this matter. Was it in the same way that he knew Mr. Martin's reason for introducing the Act of 1890, better than Mr. Martin himself? Or was it by the same means of communication that enabled the Rev. Dr. Bryce to assert with reference to the first Privy Council judgment, that he "knew" that the resolutions of the Presbyterian Synod

"had an important effect upon the decision which was given."

Father Ritchot's Fraud.

It is hard to forgive Mr. Wade for his charge of fraud against Father Ritchot, to the effect that he altered the date of a document (83-85). The reason for the charge is this: Father Ritchot has preserved a copy of the remarks which he handed to Sir John A. Macdonald, and Sir George Cartier, upon the first draft of the Manitoba Act. If this document be authentic, it proves beyond question that Bill of Rights No. 4 was the one which formed the basis of negotiations, because it approves of the provision as to education, as being "in conformity with *article seven of our instructions*." This document must, therefore, be discredited, and Mr. Wade says that it was evidently not written at all in the year in which Father Ritchot says it was, and asks him to

"explain why the document appears to have been originally dated 1873, and subsequently altered by writing a cypher over the original figure." (85)

He says that

"it is difficult to understand how anyone even glancing at the pages of the remarks could fail to perceive the very manifest alteration."(85)

There is a still plainer "alteration" in the document which Mr. Wade has not noticed. At the end of it have been placed these words (in French):

"The eleven pages which precede contain the remarks, of which I sent a copy to the Hon. Minister in Ottawa *in 1870*, at the time of the negotiations. These remarks were made on the twenty-six clauses of the first draft of the Act for the establishment of our Province. I have signed with my name the three pages following which contain these twenty-six clauses."

This clause was clearly written after 1870, and there is the same indifference to concealment of that fact, that Mr. Wade noticed in the alteration of the date. As Mr. Wade says, it is difficult to fail to perceive such patent facts. No doubt, but what is their significance! Are they alterations of the original documents? Quite apparently not. They are memoranda or notes placed upon it, in 1873 (hence the slip in writing the 3, and the necessary correction) in order to assist those who might have occasion to refer to it in the understanding of it. That Mr. Wade was not assisted, but misled, can only be accounted for by the fact that the notes were "priest-made," and therefore must have been, in his view, perfidious. If he will look at Father Ritchot's diary kept in the same book (the authenticity of which he does not attack) he will find a similar explanatory memorandum at the end of it. He will also find in the diary under date 29th April:

"At 10 o'clock with Sir George to examine the bill. Sir John is not there; he is indisposed. *I present my list of replies* to Sir George. We discuss it, then comes the question of lands," &c., &c.

If this explanation is not helped (as Mr. Wade suggests)

"by the fact that the original figure 3 is in faded ink . . . . while the cipher is in much fresher and blacker ink," (84)

that is only because there is no such fact. Let anyone look at Mr. Wade's photograph of the document (84), or go and see the original, which he will find at his service. It is the harder to forgive Mr. Wade for all this nonsense, for as he says it was

"through the courtesy of the authorities of the Archbishop's palace, at St. Boniface,"

that he was permitted to examine the book, and take a photograph of it. He was offered, too, an interview with Father Ritchot, that he might cross-examine him as to the bill of rights question. In return for these courtesies, Mr. Wade, without any request for explanation, prints some 10,000 of his charge of fraud against Father Ritchot!

The Treaty Enforced by Bayonets.

Mr. Wade says that I fail

"to notice that a military expedition was sent to Manitoba on the heels of the Manitoba Act, the so-called treaty with the settlers of the Red River;"

and that the expedition

"at the point of the bayonet, forced the present constitution"

upon the settlers. In no part of his pamphlet has Mr. Wade gone further astray. Reference to my book (p. 372) will show that the Imperial authorities refused to sanction the use of the troops

"in forcing the sovereignty of Canada on the population of Red River, should they refuse to admit it;"

only granted asssistance

"provided reasonable terms are granted to the Red River settlers;"

that the Imperial authorities were kept closely advised of the progress made in the negotiations with the delegates; that Lord Granville expressed his satisfaction

"that the Canadian Government and the delegates have come to an understanding, as to the terms on which the settlers on the Red River should be admitted into the Union,"

and that on the 10th May Father Ritchot telegraphed to Fort Garry:

"Our affairs settled and satisfactory. Will start next Tuesday."

Reference to my book (380) will also shew that as soon as the Manitoba Act was brought before the Provincial Assembly, it was warmly accepted, and a unanimous resolution passed to enter "the Dominion of Canada on the terms proposed." If further evidence were required of the recklessness of the statement as to forcing the constitution "at the point of the bayonet" it will be found in Lord Granville's speech in the House of Lords (5th May); in which he read a telegram from Sir Francis Hincks (long before the expedition started) as follows:

"Rupert's Land Bill passing Commons, concurred in by delegates and Canadian party, in fact by all in the Territory. *Expedition will be one of peace.*"

and in the fact that the Provincial Assembly had resolved:

"to *welcome* the said Governor on arrival."

All Bills of Rights, and Separate Schools.

Mr. Wade frequently says that none of the Bills of Rights, except No. 4, asked for separate schools (80, 92, &c). This is a very common mistake. Bill No. 1 has the following:

"5. A portion of the public lands to be appropriated to the benefit of *schools*, the building of roads, bridges and parish buildings.".

Bill No. 2 (the one that Mr. Wade argues for) has the following:

"9. That while the North-West remains a territory the sum of $25,000 a year be appropriated for *schools*, roads and bridges."

The meaning of these demands is clear enough. At the time when they were made all the schools in the country were denominational; and what the settlers wanted was support for these schools. This implies, of course, the continuation of such schools. The demand is not for separate schools, for those they had; but for support for the separate schools. It could not be that the request was for support for *public* schools. There were none such; and no one would think of asking that if public schools were established the public should support them! Bill No. 4 but alters the form of the demand when it asks:

"7. That the schools be separate, and that the public money for schools be distributed among *the different denominations* in the proportion to their respective population according to the system of the Province of Quebec."

Publication of Bill No. 4.

Mr. Wade seems to doubt the statement that Father Ritchot, at the Lepine trial in 1874, "produced List No. 4, and swore that it was the list given to him as a delegate" (81). He says (1) that the bill has disappeared, and (2)

"that the only reference to Rev. Father Ritchot's evidence in the court record at Winnipeg is contained in a sheet of paper pasted in the record book" (81).

There is another fact, however, one would have thought to have been worth mentioning, and that is that certified copies of all the evidence and documents (including Bill No. 4), were sent by the prothonotary of the court to the Department of Justice at Ottawa, immediately after the trial, and that they *are there to-day and may be seen by anybody.* When we are asked then to explain "20 long years of silence with regard to Bill No. 4" (81), we merely say that there is no silence to explain. In open court, in the City of Winnipeg, in the face of the community in which the transactions occurred, in 1874, at a period when there could have been no object in perjury, the Rev. Father Ritchot "produced List No. 4, and swore that it was the list given to him as a delegate." That ought to be satisfactory.

Summary of the Treaty Argument.

To Mr. Wade's summary (92), then, I may reply:

(1) Bill No. 1 did go to Ottawa. It did ask for public support for denominational schools (ante, p 31).

(2) Bill No. 2 did ask for public support for denominational schools (ante, p 32). This is the Bill Mr. Wade supports.

(3) Bill No. 3 asked for no guarantee as to separate schools, save by requiring that "all privileges enjoyed by the people of this Province . . . . be respected."

(4) Bill No. 4 was taken by the delegates to Ottawa, and formed the basis of negotiation (ante, p 27). It asked for separate schools.

(5) Sir John Macdonald said that "the claims asserted in the last mentioned bill (the one "prepared by the Provincial Government") "could be pressed by the delegates, and would be considered on their merits" (ante p 27).

(6) Lord Dufferin is sufficiently answered by Sir John Macdonald (ante, p 27).

(7) Father Ritchot's remarks were made with reference to the first draft of the Manitoba Act, not upon the one which was afterwards introduced into the House. In the first draft there were only 26 clauses, and section 19 related to education. In the bill introduced there were 36 clauses, and section 22 related to education. That is easy.

(8) Sir George Cartier said (90) that the Act was not "to be submitted to the people *before being passed.*" This is not "irreconcilable with the treaty idea," for the bill was the result of negotiations, and it still remained to be accepted at Fort Garry by the Assembly.

(9) The delegates had no power to consent to the terms of the Act, and did not assume to do so. That they expressed themselves as satisfied, and assured the Dominion Government that all would be satisfied, may be seen by the telegrams already quoted (ante, p 31).

(10) The bill was fully before the Provincial Assembly for acceptance, for it had been printed at length, a week before it was considered.

(11) The Provincial Government was a *de facto* government. It was elected by the whole body of the people, English and French alike. It agreed to the terms of union with Canada, and thus bound the persons who elected it.

(12) There was no "despatch of a military force under a distinguished commander to force a treaty upon a community." The "expedition will be one of peace." (ante, p 31).

CHAPTER XIII.

Effect of the Privy Council Decision.

Mr. Wade says that

"the foregoing facts should for ever explode the contention that the decisions of the Privy Council in any way compelled the passage of the remedial order."

The "facts" to which he refers are certain remarks made by judges and counsel during the argument before the Privy Council. Mr. Wade refuses to be bound by the written judgment of the whole court, but lays great stress upon conversations between court and counsel before judgment was given—before even the debate was finished. Every lawyer knows that judges frequently, during the argument, make remarks which, when they come to give their mature judgment, they wholly ignore. Let Mr. Wade, as he should, read the judgment as superseding the argument, and upon that one "fact" pretend that the remedial order should not have been made. It is true that Mr. Blake and I did not ask their lordships to go as far as they did go. Of what import is that? Counsel frequently ask what is not given, and frequently get what is not asked. It is for the court, not the lawyers, to declare the law. Here are the portions of the judgment that relate to the matter:

"The terms upon which Manitoba was to become a Province of the Dominion were *matter of negotiation* between representatives of the Province of Manitoba and of the Dominion Government."

"Those who were stipulating for the provisions of Section 22 as a condition of the Union, and those who gave their legislative assent to the Act by which it was brought about, *had in view the perils* then apprehended."

"It was not doubted that the object of the first sub-section of Section 22 was *to afford protection to denominational schools.*"

"There is no doubt either what the points of difference were, and it is in the light of these that the 22nd section of the Manitoba Act of 1870, *which was in truth a parliamentary contract*, must be read."

"The sole question to be determined is whether a right or privilege, which the Roman Catholic minority previously enjoyed, has been affected by the legislation of 1890. *Their Lordships are unable to see how this question can receive any but an affirmative answer.*"

"Bearing in mind the circumstances which existed in 1870, it does not appear to their Lordships an extravagant notion that in creating a Legislature for the Province, with limited powers, it should have been thought expedient, in case either Protestants or Catholics became preponderant, and rights which had come into existence under different cir-

cumstances were interfered with, to *give the Dominion Parliament power to legislate upon matters of education*, so far as was necessary to protect the Protestant or Catholic minority, as the case might be."

"Their Lordships have decided that the Governor-General has jurisdiction, and *that the appeal is well founded*, but the *particular* course to be pursued must be determined by the authorities to whom it has been committed by statute. It is not for this tribunal to intimate the *precise* steps to be taken. *Their general character is sufficiently defined by the third sub-section of Section 22 of the Manitoba Act.*"

"All legitimate ground of complaint would be removed if that system (the system of 1890) were supplemented by *provisions which would remove the grievance upon which the appeal is founded*, and were modified so far as might be necessary to give effect to these provisions."

What is here said: (1) That the Catholics have a grievance; (2) that their appeal is well founded; (3) that the general character of the proper course to be taken is clear, namely, that the Act of 1890 ought to be supplemented by provisions which would remove the grievance; and (4) that the precise steps to be taken ought to be determined by the Governor-General-in-Council. That seems to be plain enough. What proper purpose can be served by showing what the judges thought of these points before they had considered the case—before even the argument was completed?

CHAPTERS XIV. AND XV.

Adoption of Present System by Catholics.

Mr. Wade may settle his differences with Dr. Grant. So far as I am concerned, all I have to put right in these chapters is the statement that many French schools have adopted the public school system (195.) It would be much more accurate to say that Mr. Greenway has, in those French schools, adopted the separate school system. As between some modifications of that system, and no education at all for their children, Catholics in the poorer districts have, in the meantime, and because they have been starved into it, chosen the former—that is all.

As a good and indisputable example of this, let me quote the language of the Hon. Senator Boulton as to the Decorby separate school, already referred to: (ante, p 8)

"When the legislation of 1890 was enacted, the school immediately came under the national system, without any complaint or grievance, and *went on identically as it did before, under the supervision and guidance of the priest of the parish, and head of the school.*"

Summary of Mr. Wade's Arguments.

Mr. Wade says that it is because a

"commission is likely to be refused that an effort has been made in these pages to discover a few of the bad features of the old system which this Province is called upon to restore. Much more evidence of equal importance could be furnished if a commission were appointed." (119)

No one can have the slightest doubt of that. But the question is, of what service is evidence of that character? Let us hurriedly scan what Mr. Wade has offered:

The Catholic schools were bad because:

(1) Teaching certificates were granted to "members of the clergy and of the religious communities who desire to consecrate themselves to education . . . . and who will submit the necessary examination" (7, 8); "what these examinations were it is impossible to tell" (8); therefore the schools which such persons taught were "farcical to the last degree" (18).

(2) The inspectors were priests (9); nothing is said against these gentlemen, save that they were priests; therefore the schools which they inspected were "farcical to the last degree" (18).

(3) The children in the schools were immersed "in Roman Catholic ideas and influences" (19); they "were well provided with religious instruction" (12); their readers were based upon the idea that "religious instruction and mental training should now progress hand in hand" (11); there is no evidence of deficiency in secular studies; we have the report of the Inspector appointed by the Greenway Government to the contrary of that (ante, p 14); therefore the schools were "farcical to the last degree."

(4) "The complete inefficiency of the system cannot better be shown than by adducing in evidence the questions contained in examination papers set for teachers certificates" (13)—It cannot be shown in that way at all. That easy, or absurd, questions are, on occasions, set to candidates may indicate (1) inefficiency on the part of the examiners; (2) or a great dearth of candidates (such as at present exists to some extent in Manitoba); or (3) sufficient knowledge of the candidates without regular examination. How the existence of poor examination papers can possibly be evidence that the teachers were poor, or that the schools were inefficient I cannot understand.

If I am wrong then the schools of the present system are poor; for there are poor examinations questions yet (ante, pp 3, 4).

(5) There are illiterates in Manitoba (19); it is not known that a single one of them ever was inside a Catholic school; therefore the Catholic schools were "farcical to the last degree" (18).

(6) There are illiterates in Venezuela, Austria-Hungary, and other countries (53); very probably not a single one of them was ever inside a Catholic school in Manitoba; therefore the Catholic schools in Manitoba were "farcical to the last degree."

(7) Questions such as "Relate the conquest of England by William of Normandy"; "Who was Thomas Beckett?"; "How did he die?"; "What was the fate of Mary Stuart?" (24) "sufficiently indicate the bent of the examiners" (24); and shew their desire "to fan into perpetual flames the embers of religious and race discord." How are we to get in that way, he asks, "the germ of any patriotism"?—Fudge!

(8) One of the charges against the system abolished by the Acts of 1890 was "that the legislative grant was unfairly distributed between Protestants and Catholics" (26-31)—It was distributed on a basis of school population" (30). In Ontario it is distributed on a basis of average attendance. That, too, Mr. Wade says, "would be in the last degree unfair and absurd" (31). Suppose it is, what then?; abolish the schools? or alter the basis of distribution? Abolish the schools, to be sure.

(9) "Settlement is sparce" (32); "the difficulty of establishing two sets of schools is obvious" (32); "what folly" to talk of it (32)—But nobody does talk of it. Because Catholic schools may be impossible in some sparsely settled districts, is that an argument against their establishment in Winnipeg, or in dozens of places where there are no Protestants?

(10) There was no confiscation of Catholic property, under Sections 178 and 179 of the Manitoba Act (40, 46)—Nobody said there was. *Other* sections of the Act did the mischief.

(11) The present schools are not Protestant because the Privy Council said that the statute provided that they should be non-sectarian (41, 45)—No doubt the statute says so; but that does not alter the undeniable fact.

(12) As to the conscience question, the Privy Council said that if Catholics cannot go to the public schools, "it is owing to religious connections which *everyone must respect*," (42—in capital letters, and as a text of the whole pamphlet); "the conscience plea cannot bear examination" (68); Catholic ob-

jections arise "from no conscientious convictions as an individual" (65); a Catholic's conscience, anyway, is only a "priest-made conscience" (65); which "requires a good deal of stimulus from time to time" (60)—I am glad to think that there are not many Protestants to whom such language will be palatable. It shows the straits to which the Greenway Government is reduced. Liberty of conscience may be denied, may it, to Catholics—because they have none? And suppose a Catholic chose to intimate that you had no conscience, Mr. Wade, why should not *he* make *you* do as *he* pleased?

(13) "There is no reason in the nature of things, why the Roman Catholic children should be selected from all others, and endowed with power to teach its own particular doctrines in the public schools." (50)—Nobody ever said there was. All Catholics want is equal rights and fair play. They desire that the Protestant (or public) schools should be made (and they were so) to suit the Protestants; and Catholic schools to suit the Catholics; and that there should be equal secular education in all.

(14) "To ask Manitoba to go back to separate schools" is to ask that Catholic schools be handed over to the clergy (58, 52, 26, 119)—It is nothing of the sort. Under the old system the schools were managed by a board *appointed by the Government*, with annual retirement of a third of its members (ante, p 23)

These are all the arguments brought forward. Is it not clear that they are all capable of the very easiest answer? For which of them can a word be said? Is it not perfectly apparent that prejudice, and antipathy, and not reason and reflection, have formulated them?

A Commission.

"Much more evidence of *equal importance* could be furnished if a commission were granted" (119). No doubt; and no doubt, too, that the commissioners would never finish their labors, if they had the idea that investigations in Venezula and Austria-Hungary would help them to a conclusion.

In truth, Mr. Greenway's pretence of a desire for investigation is the hollowest sham. This can be shown by four considerations:

(1) By the Dominion Order-in-Council of 26th July, 1894, "the most earnest hope" was expressed that Manitoba "may take into consideration . . . . the complaints," etc. To this Mr. Greenway replied (20th Oct., 1894):

"The questions which are raised by the report under consideration, *have been the subject of most voluminous discussion* in the Legislature of Manitoba *during the last* FOUR *years*. All of the statements made in the memorial addressed to His Excellency the Governor-General and many others, have been repeatedly made to, and considered by, the Legislature."

There was no need of a commission. For "four years" the subject had been before the legislature.

(2) At Orangeville (17th Nov., 1895) Mr. Dalton McCarthy (Mr. Greenway's senior counsel) said :

"*I do not think there is a corporal's guard of men in Cardwell who want further information.* If you do we will supply it from the statistics of which we have an ample supply. So if the Liberal candidate comes forward without any policy, except that which Mr. Stubbs supports, why should the forces be divided and the Government candidate walk in between them? If the Liberal candidate, whoever he may be, wants further information, then you have these three positions to choose from: If you want the Government sustained in their determination to re-impose separate schools upon Manitoba, you will vote for Mr. Willoughby; if you want further information you will vote for the Liberal candidate; and if you are opposed to the re establishment of separate schools you will vote for Mr. Stubbs."

Every farmer in Haldimand knows the facts! If not he can easily get them. And Mr. Greenway wants a commission!

(3) And for what precisely is there to be a commission. Is it to enquire (1) whether the separate school system is a good system?, or (2) whether separate schools were well conducted in Manitoba prior to 1890? Clearly not the former, because for the solution of that question arguments only, and not disputed or disputable facts, are all that are necessary. Mr McCarthy, at Ottawa, said :

"Now there is not a gentleman sitting in this Council, who has not made up his mind as to the merits of the two systems. The question is not new to us here. I do not think there is a man in public life that has not a definite view upon that question." (51)

Clearly also, I should say, the commission is not wanted to inquire whether the system was properly worked in Manitoba, because the only information gained would be whether or no the men who had managed the schools prior to 1890 (including two members of the Government and Mr. Wade) were good men. The answer to such a question is, of course, wholly immaterial. If a separate school system is a good system, the fact that in any particular locality it has been badly administered can form a reason for nothing but this : that the administration in that locality ought to be improved.

If then a commission were to ascertain that the administration of the Catholic schools prior to 1890 was defective, what would be the result?—that Catholic schools were bad? Not at

all; but this only : that the Government ought to be blamed for appointing improper men. As has already been said, the Government appointed the Board (including two members of the Government, and Mr. Wade) ; the Government says that the Board was shamelessly neglectful of its duties, the schools in consequence being the veriest farce ; and the Government demands that a *commission be appointed to inquire and state, why the Government appointed such men to such responsible positions, and re-appointed some of them from year to year !*

(4) Of what possible use too can a commission be, when Mr. Wade, acting for the Government, tells us :

> "Whether an investigation is directed or not, anyone having the slightest confidence in Canadian institutions must feel convinced that Manitoba will never be compelled to tear down her national school system, &c." (122)

A commission then is wanted, not because it is to be of any service to anybody, for "whether or not" there must be no separate schools. And so we may finish this subject with the enunciation of this very conclusive piece of reasoning : Everybody knows the facts, even the farmers in Haldimand know them (so says the senior counsel) ; if anyone does not know them we will supply them at once (senior counsel) ; the facts are of no use to anybody, they will change nothing (junior counsel); therefore let us have a commission to inquire into the facts—in Venezuela and elsewhere (Mr. Greenway, and junior counsel) !

Recalling the Remedial Order.

Mr. Wade surely knows that there is no such thing possible as recalling the remedial order. The Dominion Parliament has, by the constitution, jurisdiction over education under certain circumstances. Those circumstances have happened and Parliament has now jurisdiction. How can that be affected ? How can the remedial order be withdrawn ? There is no power anywhere to withdraw it.

A Technical Grievance.

As to the existence of a grievance Mr. Wade is mysterious and contradictory. The Privy Council declared that there was a "grievance," and Mr. Dalton McCarthy admitted that there was a "grievance." Mr. Wade says that Catholics have no "*moral* grievance"; that they have no "*legal* grievance"; that whatever grievance they have is "*technical*"; that they

have *no grievance at all*, for the word grievance "is clearly a misnomer" (120)—all of which is very hard to understand. The dictionaries give as the meaning of 'grievance,' "a wrong suffered; hardship; injury." Probably when the Privy Council used the word, it knew the meaning of it. But perhaps Mr. Wade will be able to assure us that their lordships did not consider the matter, and that, therefore, their language is "of no effect."

Concessions to Catholics.

Mr. Wade is very unfair when he quotes me as pointing out that

"almost every step in the constitutional history of Canada has been accompanied by assurances given to Catholics." (121)

He should have completed the paragraph:

"Protestants have also received assurances, but they are not detailed here." (See my book 392.)

The very provision in the British North America Act under which denominational minorities may appeal, in matter of education, to the Governor-General and Parliament at Ottawa, was originated for the protection of the Protestant minority in Quebec.

Surely by this time all Canadians ought to recognize that in a community in which three-fifths are English and Protestant, and two-fifths French and Catholic, concessions and accommodations; assurances and performance of them; toleration, friendliness and sympathy must characterize their political and social relations; that the dream of unification through intolerance, and contempt and compulsion, is a foolish fantasy; that Roman Catholics and Protestants alike require that religion should find a place in the schools; that all the arguments in the world will not reconcile their religious differences; and that the only fair course is to give to both parties as wide liberty as is consistent with the state's demand for proper secular education.

Let us learn from Ruskin's description of a crystal (Ethics of Dust, Lecture 6):

"It is seldom that any mineral crystalises alone. Usually two or three, *under quite different crystalline laws*, form together. They do this absolutely without flaw or fault, *when they are in fine temper;* and observe what this signifies. It signifies that the two, or more, minerals of different natures agree, somehow, between themselves, how much space each will want; agree which of them shall give way to each other at their junction; or in what measure each will accommodate itself to

the other's shape; and then each takes its permitted shape, and allotted share of space; yielding or being yielded to as it builds, *till each crystal has fitted itself perfectly and gracefully to its differently-natured neighbor.*"

This was the happy condition of affairs in Manitoba prior to 1890. Protestants and Catholics had accommodated themselves to the others shape, and each then fitted perfectly, and gracefully, its differently-natured neighbor. In Ontario and Quebec the same result has been attained. There in fine temper the different minerals have united without flaw or fault; and who is there that would seek to mar the harmony that prevails? But Ruskin reminds us further:

"Yes, it implies both concurrence and compromise, regulating all influences of design; and more curious still, the crystals do *not* always give way to each other. They show exactly the same varieties of temper that human creatures might. Sometimes they yield the required place with perfect grace and courtesy; forming fantastic, but exquisitely finished groups; *and sometimes they will not yield at all;* but fight furiously for their places, losing all shape and honor, and even their own likeness, in the contest."

It is humiliating to witness the wanton war that has been made upon the Catholic schools in Manitoba. When one reads such a pamphlet as Mr. Wade's, with its multitudinous pages of arguments that can be answered as easily as one snaps his fingers; when one sees from time to time new principles manufactured expressly for the condemnation of separate schools—principles which, when applied to Protestant denominations, are seen at once not to be principles at all; when one observes the plainest facts distorted out of recognition by men who would not wilfully mislead; when intelligent men are unable to understand even the mental attitude of Catholics, and insist that they believe that which they repudiate; when, in short, the opponents of Catholic schools want to have everything their own way—they "will not yield at all"; when, instead of inquiring how much space each party wants, they insist upon having it all to themselves; cannot one see that these opponents are not "in fine temper"; that the pure crystal of a united national life—one "without flaw or fault"—cannot be formed while such temper lasts; and that there must be concurrence and compromise, or else the deplorable spectacle of persons who "fight furiously for their places, losing all shape and honor, and even their own likeness, in the contest."

Let us have sympathy, and not so much unreasoning antipathy. Are not Protestants and Catholics of the same flesh and blood? Hath not a Catholic eyes? Hath not a Catholic "hands, organs, dimensions, senses, affections, passions? fed with the same food, hurt with the same weapons, subject to

the same diseases, healed by the same means, warmed and cooled by the same winter and summer, as a " Protestant is? Why, then, cannot the Protestant respect the conscientious scruples and convictions of the Catholics. Why say one to the other, Pshaw! you have no conscience; we (superior people) can tell you that you have no conscience, at best that you only think you have a conscience, or if you have one at all it is only a priest-made affair; look at *us*, each one of *us* has thought out our principles for himself—freely, each one of *us*, as in a perfect vacuum, freed from all educational training, or environment of circumstance,—why offer such transparent nonsense, I say, and provoke the only possible reply: "If you tickle us do we not laugh?"

If by any means we could have as clear a comprehension of the Catholic attitude on the school question, as we have a persistent, if not a determined, misunderstanding of it; if in this way (as would certainly happen) almost all the arguments against the Catholic schools were by everyone seen not even to touch the question at issue; and if sympathy with Catholics, and a desire to concur, if possible, in their desires, could take the place of that antipathy which not only breeds antagonism but contemptuous denunciations of their religion and their Priests—if we could have these things, I say, we would not have the Manitoba school case. Arguments, I have supplied. Sympathy, and kindness; tenderness and good-will, are, alas, beyond my power to bestow.

APPENDIX

OPINIONS OF PROMINENT PERSONS.

LORD SALISBURY.

"Numbers of persons *have invented what I may call a patent compressible religion, which can be forced into all consciences with a very little squeezing;* and they wish to insist that this should be the only religion taught throughout the schools of the nation. What I want to impress upon you is, that, if you admit this conception, you are entering upon a religious war of which you will not see the end. *There is only one sound principle in religious education* to which you should cling, which you should relentlessly enforce against all the conveniences and experiences of official men, and that is, *that a parent, unless he has forfeited the right* by criminal acts, has the inalienable right to determine the teaching which the child shall receive upon the holiest and most momentous of subjects. That is a right which no expediency can negative, which no state necessity ought allow you to sweep away; and therefore, I ask you to give your attention to this denominational education. It is full of danger and of difficulty; but you will only meet the danger by marching straight up to it and declaring that *the prerogative of the parent* unless he be convicted of criminalty, *must not be taken away by the state.*"

LORD DERBY.

"Public Education should be considered as inseparable with religion."

MR. GLADSTONE.

"Every system which places religious education in the background is pernicious."

THE DUKE OF ARGYLL.

"In Victoria the Roman Catholics had the high honour of standing alone in refusing to pull down in their schools the everlasting standard of conscience. This resistance on the part of Roman Catholics, I believe, may be the germ of a strong reaction against the pure secularism, against what I venture to call the pure Paganism, of the education of the Colony."

SIR JOHN A. MACDONALD.

Mr. J. H. Pope, in his biography of Sir John A. Macdonald, said as follows:

"There remains but one question of practical politics in relation to which I propose to outline Sir John Macdonald's attitude I refer to

those of race and religion, which periodically threaten the peace of Canada. It must be apparent to the most careless student of Sir John Macdonald's history, that British and Protestant though he was, *at no time in his career had he any sympathy with that fierce intolerance of anything French or Roman Catholic which at the present time is abroad* in the Province of Ontario. As far back as 1854 we find him counting on his "friendly relations with the French." In 1855 he introduced and carried a bill in the interests of separate schools against the bitter opposition of George Brown. In 1863 he supported by speech and vote, Mr. W. R. (now Senator) Scott's Act establishing a system of separate schools. In 1867 he perpetuated this right to the Roman Catholics of Ontario, and at the same time provided for the French Canadians with liberal guarantees for the security of their language, institutions and laws. *In 1870 he secured, or thought he secured, like privileges to the Roman Catholics of Manitoba.*"

THE HON. ALEX. MACKENZIE.

In his speech in 1873, upon the New Brunswick School case, the Hon. Alex. Mackenzie said :

"Sir, the same grounds which led me on that occasion to give loyal assistance to the confederation project, embracing as it did a scheme of having Separate Schools for Catholics in Ontario, and for Protestants in Quebec, caused me to feel bound to give my sympathy, if I could not give my active assistance, to those in other provinces who believed they were laboring under the same grievances that the Catholics in Ontario complained of for years."

THE HON. SIR OLIVER MOWAT.

In a speech delivered in the Legislative Assembly (25 March, 1890), Sir Oliver said :

"*Now what does the abolition of Separate Schools mean?* Not an absolute abolition of separate schools. If anybody imagines that in case the laws now in the statute book were repealed to-morrow separate schools would thereby be abolished, they would deceive themselves. *These schools would still continue,* and nobody would suggest their being then interfered with. The change of the law would merely be the withdrawal of the right of Ro an Catholics to pay their school tax to their Separate Schools. *They would be assessed for the Public Schools to which they did not send their children, as well as pay for the support of the Separate Schools to which they did send them. In this way the Roman Catholics would practically be doubly taxed.*"

THE HON. EDWARD BLAKE.

In a debate upon the New Brunswick School case, in the House of Commons, 29 May, 1872, Mr. Blake said :

"Although the system of denominational schools was not actually established by law, still denominational teaching in the public schools was practically acknowledged; and he (Mr. Blake) *deeply regretted the course pursued by the Legislature of New Brunswick, in inserting*

in the new School Act, a clause providing that every school under that Act shall be non-sectarian. He understood that there were large sections of New Brunswick where the people were exclusively Roman Catholics, and the elasticity of the old law allowed these communities to conduct their schools according to their own views. The change in the law as it operated upon Roman Catholics was *a harsh change, and was not necessary to satisfy the scruples of Protestants.*"

THE HON. MR. LAURIER.

In the House of Commons (17 July, 1895; Hansard, p. 1701), Mr. Laurier said:

"If the schools are Protestant, every Protestant will say the Government should interfere by all means and stop the outrage. *If the schools are not Protestant, but are common, they are still offensive to the Catholics.* Why? Because it is part of the Catholic doctrine that the children should have both secular and religious education. It may be said that it is prejudice; that it should not be considered; that Catholics should be satisfied to have secular education in the schools—the teaching of reading, of history, of geography, and so on. *But if their conscientious conviction is that their children should be taught those religious truths which they deem essential and necessary who can object so seriously?*

In his recent Brockville address, he said:

"I am anxious to see those privileges restored to the Roman Catholic minority in Manitoba."

At Merrickville, he said:

"There is not a man in this audience but who would be glad to see the Catholic schools restored by the Legislature of Manitoba."

Of this speech "The Globe" said:

"There was not a dissentient voice amongst the shouts of approbation with which the Liberal leader's declaration of policy was received."

THE HON. DAVID MILLS.

In 1892, the Hon. David Mills said:

"The course taken in the Province of Ontario, on the whole, produces the most satisfactory results on this continent, of the educational question. . . . . *I say there is no public school system on this continent, producing more satisfactory results, and that works out with less friction than the separate school system of Ontario.*"

THE HON. JOSEPH MARTIN.

In the House of Commons (18 July, 1895; Hansard, p. 4729), Mr. Martin said:

"The introduction of such religious instruction as is provided in that Act is satisfactory, to a certain extent, to the Protestants of that Province.

It is not fully satisfactory even to the Protestants of that Province. There are many there who think that a great deal more religious instruction should be had in those schools. The Roman Catholics agree with the Protestants who are not satisfied with the modicum of religious instruction which is allowed by that statute. Under these circumstances I expressed in my letter the belief that the imposition of such an amount of religious instruction, or such a course of religious instruction, as was only satisfactory to a part of the community was RANK TYRANNY. *In that view I could not justify the refusal of the Legislature of Manitoba to extend these religious exercises, so that religious instruction to such an extent as to be satisfactory to any of the component parts of the population of Manitoba might be given.*"

THE WEEK.

In it issue of 13th Dec., 1895, *The Week* said:

"While Protestants, as a general rule, deplore the determination of their Roman Catholic fellow subjects to insist upon separate schools, the larger majority feel that it would be impolitic as well as *unjust to coerce them into attending schools to which they object*, and we doubt very much whether the fanatical denunciations of the extreme ultra-Protestants find sympathy with the large majority of electors. *It does seem unfair to insist upon the members of that creed being compelled to pay double rates*, that is, in support of public schools, which they do not approve of, and at the same time support schools which their church requires them to attend."

THE TORONTO GLOBE.

In April, 1895, *The Globe* said:

"We advocate the Ontario system, not because it is fixed by the constitution, but *because we consider it to be a good system*, embodying a satisfactory settlement of a vexed question. If this province were making a fresh start to day, absolutely untrammelled by constitutional restrictions, we do not know that it could do better than continue that arrangement without any material change."

HIS GRACE THE ARCHBISHOP OF RUPERT'S LAND.

In his address to the Synod in December, 1889, prior to the School Act, His Grace said:

"Under proper restrictions *I see a measure of justice, and no injustice, in Separate Schools*, and I do not think that it will be easy to do away with them. However the Roman Catholic authorities may approve of the subjects of religious teaching that Protestants would agree upon, they will accept no teachers but their own. The great majority of Roman Catholic children will, therefore, be sent to their own private schools, however inferior, rather than to state schools not under Roman Catholic instructors, whether there be religious teaching in them or not. If there is no religious teaching there will be but the stronger expression of dislike. The day will come when one, if not both political parties, will discover that it is undesirable for the State to have this inferior

secular instruction, and *unjust to the Roman Catholic section of the community, that while getting no State aid for its private schools, it should have to contribute to the support of the State schools.* And the Separate Schools will reappear—possibly in an objectionable form."

THE REV. PRINCIPAL KING.

The Rev. Principal King, among the chiefest of the opponents of separate schools, thinks that some arrangement ought to be made. In the Synod (Nov., 1895), he said:

"A large portion of the Roman Catholic population is situated along the two rivers, where there are *almost no Protestants*; accordingly, in nine cases out of ten, the trustees would be Roman Catholics, and Roman Catholic teachers could, and would be chosen. If they used their school houses outside of school hours (*and the school hours might be shortened for that purpose*) for such religious teaching as *a teacher having their confidence* might be willing to give, all that moderate people would regard as reasonable would be gained; and other portions of the community than Roman Catholics might be led to look with more favor on the system through such relaxation of the law as to school hours. Some other arrangement might need to be made for such mixed communities as are found in Winnipeg. But even that need not be regarded as impracticable."

THE REV. PETER WRIGHT.

In Portage la Prairie (last April) the Rev. Mr. Wright said:

"In Ontario very excellent work is being done in many of the separate schools. The late Prof. Young, when inspector of the high schools of Ontario, was asked by the government to inspect such separate schools as he conveniently could. I remember a conversation I had with him, in which he bore testimony to the excellent condition in which he found many of them."

THE REV. DR. BRYCE.

While the old system was in force the Rev. Dr. Bryce wrote in his book ("Manitoba, Its Infancy, Growth and Present Condition") as follows:—

"In Manitoba the Roman Catholic schools are *as much national as the Protestant.* No special rights are given to either Catholics or Protestants."

"The Government grant is voted for one system of schools, and is divided according to the population of children. No special rights are given to either Catholics or Protestants; all moneys are equitably distributed."

"Lord Selkirk's scheme of perfect religious equality and toleration is that still subsisting in Manitoba . . . . There is no bone of contention to disturb the prevailing harmony. No church is given any place of precedence."

MR. SOMERSET.

In 1888 Mr. Somerset was the superintendent of Protestant schools under the Greenway Government. In an address to the teachers, he said:

"In connection with its working during the last seventeen years, it may be pointed out that the schools of the Province have been managed without a particle of the denominational friction that has caused disturbance and bitterness in other Provinces of the Dominion. . . . . The past history of the Province encourages the hope that *perfect justice to each interest shall result in a continuance of the harmony that now exists.*"

DR. GOLDWIN SMITH.

In a letter to the Winnipeg *Tribune* (22nd August, 1894), Dr. Smith said:

"It is every man's duty to provide education, as well as food and clothing, for the children whom by his own act he brings into the world. It is every man's right and duty to have his own children *educated in the way that he conscientiously deems best.* These seem two plain propositions. But our system of public schools, in pursuit of what its framers and advocates deem a higher policy, sets them both aside; and hence the present troubles arise."

"You may say, let the man who conscientiously dissents from our system set up a voluntary school for himself. But then you could hardly justify yourself in compelling him also to pay the school tax. By forcing him to pay the tax, you take from him the means of obtaining his voluntary school, besides doing violence to his principles by making him support an educational system which he disapproves. If the Roman Catholic tells us that he desires the education of his children to have a moral basis, is he unreasonable? If he tells us that our public school system lacks a moral basis, can we easily prove that he is wrong?"

PROVINCIAL RIGHTS.

Provincial Rights are those given by the constitution. Canada also has rights given by the constitution.

By the constitution, the Province has certain rights with reference to education, and Canada has certain rights.

Canada's rights were devised by the Protestants of Quebec as a protection for themselves against the Catholics of Quebec. This is the origin of the right which Provincial minorities have to appeal to the Governor-General from Provincial legislation. In the House of Commons (8 March, 1893), Mr. Laurier said :

"Now, sir, you have ample evidence that this extraordinary provision was introduced at the instance of the delegates of the Protestant minority of Lower Canada, for the protection of that minority."

The Quebec Protestants were the first to make use of Canada's rights in respect of education. This was in 1889, in connection with the Jesuits' Estates Act. To aid that appeal The Equal Rights Association was formed in Toronto. One of its resolutions was as follows :

"This convention approves of the action of the Toronto citizens' committee and others, in circulating and promoting the petitions to His Excellency the Governor-General, against ihe Jesuits' Estates Act, and pledges itself to promote and further, in every way, the signature and presentation of petitions against the said Act."

The Association issued an address signed by its President, the Rev. Principal Caven, and its Secretary, Mr. E. Douglas Armour, Q. C., in which was this passage :

"The right of appeal to the Governor-General which minorities at present have *must remain* ; nay, the entire Dominion is the proper guarantee for eqality of dealing on the part of Provinces with the adherents of the various churches, and nothing beyond this should be sought."

MR. DALTON McCARTHY.

Mr. Dalton McCarthy was the chief speaker of the Equal Rights' Association. In his address in the House of Commons on the Jesuits' Estate matter (Hansard, March, 1889), he said :

"I venture to ask the house seriously to consider the position in which we stand. *The worship* of what was called *local autonomy*, which some gentlemen have become addicted to, *is fraught*, I venture to say, with *great evils to this Dominion*. Our allegiance is due to the Dominion of Canada. The separation into provinces, the right of local self-government which we possess, is not to make us less citizens of the Dominion, is not to make us less anxious for the promotion and welfare of the

Dominion, and it is no argument to say that, because a certain piece of legisiation is within the power of a local parliament, therefore the legislation is not to be disturbed. By the same Act of Parliament by which power is conferred upon the local legislature, the duty and power—because where there is a power there is a corresponding duty—are cast upon the Governor-in-Council to revise, and review, the Acts of the legislative bodies. If you are to say that because a law has been passed within the legislative authority of the Province, therefore it must remain, we can easily see, sir, that before long these Provinces, instead of coming nearer together, will go further and further apart. We can see that *the only way of making a United Canada*, AND BUILDING UP A NATIONAL LIFE AND SENTIMENT IN THE DOMINION, *is by seeing that the laws of one Province are not offensive to the laws and institutions, and it may be to the feelings, of another*—I will go so far as to say that they must be to some extent taken into consideration."

The authorship of the latest rejoinder of the Greenway Government is easily discoverable, by comparing the language of one phrase in it, with a sentence from the above speech:

MR. M'CARTHY'S SPEECH.	MR. M'CARTHY IN THE REJOINDER.
"The *worship* of local autonomy . . . . is fraught with great evil to this Dominion."	"The *remedy* sought to be applied is fraught with great danger to the principle of provincial autonomy."

In the case of the Protestant appeal, local autonomy is "fraught with great evils"; but in the case of the Catholic appeal, everything but local autonomy is "fraught with great danger"—"great evils" if Protestants cannot appeal, "great danger" if Catholics can!

THE HON. MR. GREENWAY.

In his address to the electors of Mountain, recently issued, Mr. Greenway said:

"I assert that our people are perfectly competent to deal with their own educational concerns."

The Hon. Mr. Greenway, when in the House of Commons, voted in favor of the following resolution, which was seconded by Mr. Edward Blake:

"This house regrets that the School Act recently passed in New Brunswick is unsatisfactory to a portion of the inhabitants of that Province, and hopes that it may be so modified during the next session of the Legislature of New Brunswick as to remove any just grounds of discontent that now exist.

"That this house regrets that the hope expressed in the said resolution has not been realized.

"That an humble address be presented to Her Most Gracious Majesty the Queen embodying this resolution, and praying that Her Majesty would be graciously pleased *to use her influence with the Legislature of New Brunswick to procure such a modification of the said Act as shall remove such grounds of discontent.*"

SIR. A. T. GALT.

In an address to his constituents (October, 1864), Sir A. T. Galt said:

"It was clear that in confiding the general subject of education to the local legislatures, *it was absolutely necessary it should be accompanied with such restrictions as would prevent injustice in any respect from being done to the minority.*

"Now this applied to Lower Canada, but it also applied, and with equal force, to Upper Canada and the other Provinces; for in Lower Canada there was a Protestant minority, and in the other Provinces a Catholic minority. The same privileges belong of right here, as belonged to the other of right elsewhere. *There could be no greater injustice to a population than to compel them to have their children educated in a manner contrary to their own religious belief.*"

THE HON. GEORGE BROWN.

In the course of the Confederation debates, Mr. Brown said:

"I admit that from my point of view that is a blot on the scheme before the House. It is confessedly one of the concessions from our side that have to be made to secure this great measure of reform. But surely, I for one have not the slightest hesitation in accepting it as *a necessary condition of the scheme of Union*, and doubly acceptable must it be in the eyes of gentlemen opposite who were the authors of the Bill of 1863."

THE PRIVY COUNCIL.

The following is an extract from the judgment of the Privy Council:

"Bearing in mind the circumstances which existed in 1870, it does not appear to their Lordships an extravagant notion, that in creating a legislature for the Province with limited powers, it should have been thought expedient, in case either Catholics or Protestants became preponderant, and rights, which had come into existence under different circumstances were interfered with, to give the Dominion Parliament power to legislate upon matters of education, as far as was necessary to protect the Protestant, or Catholic, minority, as the case might be."

THE PARLIAMENTARY COMPACT.

(1869.) When Canada, prior to her union with Rupert's Land, and before she had any more jurisdiction there than she had in Michigan, proceeded not only to take possession, but to exercise rights of sovereignty, and to levy war upon the people, the settlers, both English and French, established a Provisional Government, and elected a Legislative Assembly.

(Jan.) Canada sent commissioners to Fort Garry to request that delegates might go to Ottawa to discuss the terms of union.

(Jan. 16.) Letter of Sir John A. Macdonald to Arch. Taché:

"In case a delegation is appointed to proceed to Ottawa, you can assure them they will be *kindly received*, and *their suggestions fully considered; their expenses* coming here and returning, and while staying in Ottawa *will be defrayed* by us."

(March.) Delegates were sent to Ottawa.

On the 5th March Earl Granville telegraphed to Ottawa:

"Her Majesty's Government will give proposed military assistance, *provided reasonable terms are granted to the Red River settlers.*"

On the 22nd March a despatch from the Under Secretary of the Colonies directed that

"troops should not be employed in forcing the sovereignty of Canada on the population of Red River, should they refuse to admit it."

On the 17th March Earl Granville cabled:

"Let me know by telegram when you know delegates have started from Fort Garry."

On the 4th April the Governor General telegraphed:

"They say the delegates are coming."

And on the 7th as follows:

"Last of the delegates is expected at St. Paul on Thursday, the 11th; the others arrived there to-day, and may reach Ottawa on Saturday, the 9th."

On the 9th Earl Granville cabled:

"Let me know as soon as you can by telegram the result of the negotiations with Red River delegates."

On the 23rd of April Earl Granville thus informed the Governor-General:

"The Canadian Government to accept decision of Her Majesty's Government on all portions of the settlers' 'bill of rights.'"

On the 3rd of May the Governor-General cabled:

"Negotiations with the delegates closed satisfactorily."

(May 5th.) Sir Francis Hincks cabled to London:

"Rupert's Land Bill passed Commons. Concurred in by delegates, and Canadian party; in fact by all in Territory. Expedition will be one of peace."

(May 10th.) Father Ritchot telegraphed to Fort Garry:

"Our affairs settled and satisfactory. Will start next Tuesday."

(May 18th.) Earl Granville cabled:

"I take this opportunity of expressing the satisfaction with which I have learned from your telegram of the 3rd inst., that the Canadian Government, and the delegates, have come to an understanding *as to the terms on which the settlements on the Red River should be admitted into the Union.*"

(June 24th. The following took place in the Legislative Assembly, Fort Garry:

"*The President*—We have seen the Manitoba Act—have heard the report of our delegation—and now we have to proceed to something else. Is it the intention of the House to pronounce on the Manitoba Act?

"*Hon. Mr. Schmidt*—I would move that the Legislative Assembly of this country do now, in the name of the people, accept the Manitoba Act, and *decide on entering the Dominion of Canada on the terms proposed in the Confederation Act.* (Cheers.)

"*Hon. Mr. Poitras* seconded the motion, which was put and carried, the members cheering enthusiastically.

"*Hon. Mr. Schmidt*—I now make another motion consequent on the former ones. I propose that *we welcome the new Governor on his arrival.* (Cheers.) The motion passed unanimously."

THE REV. MR. PEDLEY.

In the Congregational Church, Winnipeg, (14th April, 1895) the Rev. Mr. Pedley, in arguing against the Catholic position, said:

"They had a right to organize. They had a right to elect their provisional government. They had a right to insist upon an arrangement that would secure to them their property, rights, and a system of government, etc."

Of the bargain Mr. Pedley said that:

"No doubt the French Catholic population of the country understood that in 1870 the Dominion guaranteed them separate schools. They feel that faith with them has not been kept."

MR. E. DOUGLAS ARMOUR, Q.C.,

In the course of a long argument in *The Week* against the Catholic schools, Mr. Armour said :

"It was supposed that the italicized words would save the right or privilege of keeping up separate or denominational schools."

and again :

"The Constitution of Manitoba did not guarantee separate schools. It was supposed to do so."

and once more :

"The Constitution of Manitoba was supposed to have established separate schools perpetually in Manitoba."

MR. DALTON McCARTHY, Q.C.

In the argument at Ottawa (March, 1895), speaking of the Catholic minority, said (p. 66) :

"Who, perhaps, have a right, after a fashion, to expect a different state of things."

He also explained why, although there was a compact by which the Catholics were to have separate schools, they in fact have not got them. Speaking of the Dominion Parliament he said (52) :

"If they intended to accomplish anything by the first section they utterly failed to do so. . . . I think *the draughtsman who drew up this particular legislation was not very well versed in the business* "

At other parts of his address Mr. McCarthy was pressed with the following questions :

"Sir Charles Hibbert Tupper—Would you go so far as to say that the main consideration in a matter of this kind would be the political effect of our action, *and not the actual merits and rights of it?*

"Mr. McCarthy—*That is undoubtedly my position*, (p. 42).

"Hon. Mr. Ouimet—Have we not to come to a conclusion as to the minority? *Have we not to consider their rights?*

"Mr. McCarthy—*No;* as I pointed out yesterday, if that was the only question there would be no object in coming here to argue the case." (p. 67).

SIR JOHN A. MACDONALD.

In Mr. Pope's Biography of this great statesman there is the following passage :

"We are not left in doubt as to his view of what was intended by the operation of the Manitoba Act. In the very beginning of the present agitation in the Province, he thus addressed a member of the local Legislature, who had applied to him for counsel :

"'You ask me for advice as to the course you should take upon the vexed question of Separate Schools in your province. There is, it seems to me, but one course open to you. By the Manitoba Act the provisions of the British North America Act (section 93), respecting law passed for the protection of minorities in educational matters, are made applicable to Manitoba and cannot be changed, for by the Imperial Act confirming the establishment of the new provinces, (34 35 Vic., section 6) it is provided that it shall not be competent for the Parliament of Canada to alter the provisions of the Manitoba Act in so far as it relates to the Province of Manitoba. Obviously, therefore, the Separate School system of Manitoba is beyond the reach of the Legislature, or of the Dominion Parliament.'

"It is true that the highest tribunal in the empire has put a different interpretation on the Manitoba Act, but with the merits of this question we are in nowise concerned here. My object is merely to show what were the views of him who had by far the greatest share in the framing of this piece of legislation, as to its scope and effect."

THE HON. WM. McDOUGALL.

Mr. McDougall, who took a most active part in connection with the union of Rupert's Land with Canada, said (1st Aug., 1892):

"We certainly intended that the Catholics of Manitoba, or whichever denomination might be in a minority, *should have the right to establish and maintain their own schools.* You see the words 'or practice' were inserted in the Manitoba Act, so that the difficulty which arose in New Brunswick, where Separate schools actually existed, but were not recognized by the law, should not be repeated in Manitoba. And then *the right of appeal to the Federal Parliament was given to make assurance doubly sure.*"

THE HON. G. W. ROSS.

In Montreal (19th Dec., 1895), the very capable Minister of Education for Ontario said:

"As the Manitoba Legislature had, beyond question, the right (and the Privy Council has so decided) to pass the School Act of 1890, I offer no observation with regard to it, except this, that I believe under the Act by which Manitoba entered the union, *it was understood by all the other Provinces that the minority, whether Protestant or Catholic, would have the right to establish denominational schools.* It was the merest mockery to empower the Dominion Government to interfere for the protection of denominational schools, unless it was assumed that such schools existed and that *in the changes incident to the growth of a new country they might need protection from possible interference some time in the future.*"

THE HON. SIR OLIVER MOWAT.

In a speech delivered in the Legislative Assembly (25th March, 1890), Sir Oliver said:

"In what spirit was the new constitution framed? It was a compromise all round, *and an essential part of that compromise*—so essential

that without it Confederation could never have taken place—was the provision by which the separate schools of Ontario, and the Protestant dissentient schools of Quebec, were guaranteed by the Imperial enactment. But for this being guaranteed, we would have had no Dominion Parliament with its present limited powers, and no Provincial Legislatures with their powers."

THE PRIVY COUNCIL.

The Lord Chancellor (p. 204) said :

"Is it not conceivable legislation to say: We will trust to you the Provincial Legislature, the power of dealing with education; but this is a question upon which there is known to be a keen feeling and a difference of opinion, and you are not to destroy any privileges or rights at the time of the union. Further than that, if you legislate within your powers, the minority shall not be without protection; there shall be then an appeal to a superior authority, the Governor-General-in-Council, and if he thinks that, within your powers, you have been depriving the minority of any right or privilege in relation to education, then he may express that decision, and effect shall be given to that decision, or may be given to that decision, by the Dominion Parliament?"

And at page 230 the Lord Chancellor says:

"Is it so extraordinary when you remember that *this was an arrangement made as one of the terms on which the union was to be effected.*"

"There is no doubt either what the points of difference were, and it is in the light of these that the 22nd section of the Manitoba Act of 1870, *which was in truth a parliamentary compact*, must be read.

TOLERATION AND KINDLINESS IN QUEBEC.

SIR JOHN ROSE.

In the Confederation debates Sir John Rose said :

"Now, we, the English Protestant minority of Lower Canada, cannot forget, that whatever right of separate education we have, was accorded to us in the most unrestricted way before the Union of the Provinces, when we were in a minority, and entirely in the hands of the French population. *We cannot forget that in no way was there any attempt to prevent us educating our children in the manner we saw fit, and deemed best ;* and I would be untrue to what is just, if I forgot to state that the distribution of State funds for educational purposes was made in such a way as to cause *no complaint on the part of the minority.*"

DR. DAVIDSON.

At the Convention of the Equal Rights' Association, at Toronto, in 1889, a letter from Dr. Davidson (perhaps the most prominent member of the Association in Quebec) was read, in which was the following :

"It is easy for you to say do away with separate schools—easy for you in your strong Protestant Province of Ontario. But as you are strong be merciful, and remember your weaker brethren in the Province of Quebec. While we may blot out the 238 separate schools, occupied by Roman Catholics in Ontario, you also desire to blot out the 980 separate schools occupied by Protestants in the Province of Quebec."

Dr. Robbins, Principal of the McGill Normal School, Montreal :

"We are of the minority of this Province, but we know that we are not regarded as a fractious or insignificant minority. Our susceptibilities are considered, our educational rights are maintained by the majority."

IN THE LEGISLATURE.—A LESSON FOR MANITOBA.

The Quebec Legislature prorogued on 21st Dec., 1895 :

"Before closing, Mr. Morris, minister without a portfolio, said he wished to state that since his entry into the cabinet every suggestion or representation made by him on behalf of the Protestant minority, had received the utmost consideration, and no reasonable demand had been refused. *There had been on all sides a desire to recognize the rights of the minority.*

"Premier Taillon said he was glad to hear Mr. Morris' remarks, because it would tend to dispel the impression which it had been sought to create in some quarters.

"Mr. Stephens said the Protestants never had much cause to complain, and he did not want another impression to go forth.

"The Premier was happy to see such breadth of mind, and said *some of the other provinces which he need not name, might draw a lesson therefrom.* This closed the incident.

SCHOOL CASE CHRONOLOGY.

1887.

Dec.—The Harrison Government in power.

1888.

Jan. 12—St. Francois Xavier election. The Hon. Mr. Burke defeated by Mr. Francis, with the help of Liberal promises to the Catholic electors to protect their schools.

Jan. 16—Resignation of the Harrison administration. Mr. Greenway becomes Premier.

Feb.—Mr. Greenway's voluntary assurances to His Grace the Archbishop of St. Boniface, and the Catholic members of the the House, to protect the schools. Mr. Prendergast joins the Government.

July—The General Elections. Mr. Greenway, aided by the Catholics, carries five out of the six French constituencies.

The Jesuits' Estates Act passed in Quebec.

1889.

Jan.—Dominion Government refuses to disallow the Jesuits' Estates Act. Equal Rights' Association formed in Toronto to aid in the appeal from the Jesuits' Estates Act to the Governor-General-in-Council. Principal Caven's address as President of the Association:

"*The right of appeal* to the Governor-General which minorities at present have *must remain*," &c.

Mr. Dalton McCarthy's speech:

"*The worship* of what was called *local autonomy* . . . *is fraught* . . . *with great evils to this Dominion*," &c.

Aug.—Mr. McCarthy, at Portage la Prairie, urges an attack upon the Separate Schools in Manitoba (see argument before Governor-General, p. 106-7).

Oct.—Hearing of the Protestant appeal in the Jesuits' Estates case before the Governor-General fixed for this date. Settlement made by local authorities and appeal withdrawn.

1890.

March—Manitoba School Act passed.

1892.

July—Privy Council decision that Act was valid.

Nov.—Petitions of Catholic minority to Governor-General, presented by Mr. Ewart, Q.C.

Dec. 29—Dominion order-in-council with reference to the petition of the minority, intimating that doubts have arisen as to the jurisdiction of the Governor-General-in-Council, and directing that that question be first argued. The Province of Manitoba to be notified.

1893.

Jan. 22—The argument was fixed for this date. *The Manitoba Government refused to appear;* and Mr. Ewart, Q. C., alone addressed the Council.

Feb. 22—Dominion order-in-Council.

> "The committee therefore advise that a case be prepared on this subject, in accordance with the provisions of the Act, 54-55 Vict, chapter 25, and they recommend that if this report be approved a copy thereof be transmitted by telegraph to His Honor the Lieutenant-Governor of Manitoba, and to John S. Ewart, counsel for the petitioners, in order that if they be so disposed the Government of Manitoba, and the said counsel, *may offer suggestions as to the preparation of such a case, and as to the questions which should be embraced therein.*"

July 8—No reply having been received from the Manitoba Government, and no suggestion as to the form of the case to be referred having been made on its behalf, the draft case was approved:

> "The Minister recommends that the case as amended, copy of which is herewith submitted, be approved by Your Excellency, and that copies thereof be submitted to the Lieutenant-Governor of Manitoba, and to Mr. Ewart, with the information that the same is the case which it is proposed to refer to the Supreme Court of Canada touching the statutes and memorials above referred to."

Oct.—Argument of the case before the Supreme Court at Ottawa. Mr. Wade appeared as counsel on behalf of the Province of Manitoba, *but declined to argue the case*; and the court requested Mr. Christopher Robinson, Q.C., to argue in the interest of Manitoba.

July 26—Dominion Government's communication to Manitoba Government,

"Expressing the most earnest hope that the Legislature of Manitoba may take into consideration at the earliest possible moment, the complaints which are set forth in this petition, and which are said to create dissatisfaction among the Roman Catholics, not only in Manitoba, but likewise throughout Canada, and may take speedy measures to give redress in all the matters in relation to which any well founded complaint or grievance be ascertained to exist."

Oct. 20—Manitoba Government's communication to Dominion Government;

"The Executive of the Province see no reason for recommending the Legislature to alter the principle of the Legislation complained of."

1895.

Jan. 20—Privy Council's second decision.

Feb. 14—Manitoba Legislature met. *The Dominion Government's communication was never laid before the Legislature.*

Lieutenant-Governor's speech at opening of Legislature:

"Whether or not a demand will be made by the Federal Government that that Act shall be modified . . . . it is not the intention of my government in any way to recede from its determination to uphold the present system."

Resolution carried in the Legislature:

"That this House will, by all constitutional means, and to the utmost extent of its power, resist any steps which may be taken to attack the School system established by the Public School Act of 1890."

March 4-7—Argument at Ottawa before the Governor-General-in-Council, between Mr. McCarthy, Q.C., and Mr. Ewart, Q.C.

March 21—Remedial Order; accompanied by a minute of Council which respectfully, and courteously, urged upon the Legislature that it should not, by refusing to deal with the question, run the risk of

"permanently divesting itself, in a very large measure, of its authority, and so establish in the Province an educational system which cannot be altered or repealed by any legislative body in Canada."

No reply was ever made by the Manitoba Government to this minute of Council.

June—Reply of Manitoba Government to the Remedial Order :

> "We are therefore compelled to respectfully state to your Excellency-in-Council that we cannot accept the responsibility of carrying into effect the terms of the Remedial Order."

July 25—A further communication from the Dominion Government to the Manitoba Government :

> "It by no means follows that it is the duty of the Federal Government to insist that provincial legislation, to be mutually satisfactory, should follow the exact lines of this Order,"—that is the Remedial Order. "It is hoped, however, that *a middle course* will commend itself to the local authorities, that federal action may become unnecessary."

Dec. 21—Reply of Manitoba Government :

> "It is therefore recommended that, so far as the Government of Manitoba is concerned, the proposal to establish a system of Separate Schools, *in any form*, be positively and definitely rejected.

LC114.M3 E9
The Manitoba school question: a rep
Gutman Library APC4935
3 2044 028 949 840